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Bernie stands firm in bribes case



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# THE TIMES

No. 64,704

FRIDAY JULY 23 1993

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## Major's last-minute bid for Ulster Unionist vote

By PHILIP WEBSTER  
POLITICAL EDITOR

JOHN Major bluntly told Conservative MPs last night that he intended to ratify the Maastricht treaty whether he lost or won the critical Commons vote on the social chapter.

In a dramatic public appeal to his party, Mr Major declared that he would not allow last night's vote to frustrate the will of Parliament that the treaty should be ratified. He then delivered a further plea for loyalty at a closed meeting of the 1922 Committee of backbenchers. As he spoke, the arithmetic appeared still to be against him.

The cabinet was convened at 7 pm to hear a report from Richard Ryder, the chief whip, on the hard figures. According to informed sources, the Ulster Unionists had been told "to wait by their telephones" as speculation grew that a deal

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would have to be struck to avoid defeat.

In a speech to the 1922 Committee that received prolonged applause, Mr Major said that MPs "should examine their own consciences to consider how best to restore party unity". He added: "Divisions in our party are very damaging — we must bring them to an end. I hope those in this room with power to do so will take this opportunity to bring this period of division to an end, and do so conclusively this evening." Afterwards, leading dissenters said that Mr Major had been right to try a "soft sell", steering away from confrontation.

In the Commons earlier, Mr Major had risen to the occasion with one of his strongest performances of recent months. He was cheered throughout by his MPs and helped by the intervention of the Lord and John Carlisle, who said they would vote with the government. Edwina Currie said he had made the speech of his life.

With the whips working desperately backstairs to scale down the size of the rebellion and to win the support of the Ulster Unionists, Mr Major told rebels preparing to vote with Labour that to do so would be cynical and unscrupulous. The Labour amendment calling for Britain to adopt the social chapter did not represent the true will of the House, he said.

In an obvious attempt to convince the rebels that they had embarked on a futile course, Mr Major said that Parliament was no longer



Toughing it out: Kenneth Clarke, David Hunt and Douglas Hurd leaving 10 Downing Street after the cabinet meeting yesterday

debating the merits of the Maastricht bill. That was now an act, and the treaty would be ratified. He then gave some inkling of his tactics should he lose, saying that the Commons was actually debating "whether we should negotiate a new treaty to add Britain to the social agreement".

Mr Major's words, whose frankness surprised MPs, suggested that he preferred to be defeated on the social chapter — which would still allow him to ratify — than to let the ratification process go into limbo as the Eurosceptics want. He was telling them that the social chapter could

not simply be appended to the present treaty. If they really wanted it, there would have to be a new European inter-governmental conference, a new treaty and a new bill.

It was a clear warning that a defeat on the chapter would not stop him ratifying. The implication was that he would allow the Commons at a later stage to decide whether it wanted a new treaty. That provoked a furious response from John Smith, the Labour leader, who said that if Mr Major defied the will of the Commons he would have exceeded the power of his office.

The prime minister referred

to Parliament's big majorities for the Maastricht bill and said: "Rarely in recent history has Parliament shown its will so effectively. Today's debate is an attempt to frustrate that will." Seventy-one separate votes in favour of the bill should not be frustrated by one motion expressing a contrary view.

Of those backing the social chapter, which he repeatedly called a "job destruction charter", he said: "It is an alliance of different parties with different interests, voting for the same amendment for different purposes. In any genuine free-standing vote in this House,

the social chapter would be defeated, as any member of this House knows."

Conservative MPs were aware of the dangers of the social chapter, "and yet I know that some of them are tempted to vote for the Labour amendment or against the substantive motion. They don't believe in it. But they have convinced themselves it would prevent ratification of the act."

Turning round to his backbenchers, he urged: "I hope those members will reflect again on the cynicism of such a vote and on the damage that it would do to this country."

Mr Smith said the prime

minister was "deluded" about the nature and effect of social chapter "which elsewhere finds widespread favour". Accusing the government of a "deliberate campaign of misrepresentation" over the social chapter, he mocked Mr Major's claims of jobs being destroyed. "The irony of this prime minister posing as a job protector will not be lost on millions of people who are the victims of economic policies for which he has been responsible. This self-styled saviour of jobs and growth has the worst record on jobs and growth of any British prime minister since the war."

## ERM plunged into crisis by wave of currency sales

By JANET BUSH, ECONOMICS CORRESPONDENT

THE European exchange-rate mechanism was in deep crisis yesterday as waves of selling battered the system and currency dealers speculated that European central banks will be forced into announcing a temporary suspension of current exchange rates within days.

Economists and dealers described the system as very sick indeed, and said this was the worst pressure to hit the ERM in its history. There are now serious doubts that those European countries determined to maintain their current exchange rates and remain on a straight path to European monetary union can go on fighting the markets.

The power of the speculators lies in the fact that most European economies, facing severe recession, cannot politically afford to defend their currencies through higher interest rates, exactly the position Britain found itself in last September.

Pressure which had focused on the French franc and the Danish krone last week rippled throughout the markets yesterday, hitting the Portuguese escudo, the Spanish peseta and all the Scandinavian currencies. For the first time this year, serious speculators aimed their guns at the entire ERM system.

Heavy selling pressure pinned the French franc near to its floor in the system, prompting extremely substantial intervention in its support from the Bundesbank and the Bank of France. The French central bank was forced to deny rumours that it was planning to announce either dramatic increases in interest rates or a temporary suspension of the ERM.

European central bank sources said yesterday: "If this is what July is going to be like,

just remember that August is the traditional month for currency crises."

Economists now believe the survival of the ERM in its current form is doubtful. Alison Cottrell, chief international economist at Midland Global Markets, said: "The full force of the speculators hasn't yet been felt but, if they decide to bet against the system in any number, there is no way the central banks will be able to stand against them."

Crucial for the system over the next week will be the Bundesbank's attitude towards lowering interest rates. It has one chance — next Thursday — to cut its official

### UK 'on way back'

Kenneth Clarke, the Chancellor, hailed the recent batch of good economic figures as evidence of a "good and balanced" recovery. Adding to news of surging manufacturing production, a jump in retail sales and falling unemployment came news yesterday of a 42 per cent jump in engineering industry export orders.

rates before its summer recess. If it chooses not to, there will be no relief for the system until September.

Brian Martin, currency economist at Citibank, said: "The French have invested enormous political capital in the system and they are not going to give up easily. But the economic reality is that the markets know that European economies desperately need lower interest rates."

Despite yesterday's firm support for the franc, the currency failed to recover any ground against the mark.

Business chart, page 21  
Temps, page 25

## Briton facing death on Thai drug charge

FROM JAMES FRINGLER  
IN BANGKOK

SANDRA Gregory, another British woman accused of drug-smuggling, is facing the death penalty in Thailand after the charge against her was dramatically altered at the last minute.

In London a row was growing over whether Karyn Smith and Patricia Cahill, the convicted drug-smugglers given a royal pardon by King Bhumibol of Thailand, would be paid by newspapers for their stories. Lord McGregor, chairman of the Press Complaints Council, took the unusual step of reminding editors that any such payments would breach the PCC code of practice. Article nine prohibits payments to convicted criminals or their associates.

Only hours after Miss Smith and Miss Cahill flew home, Miss Gregory, 28, a teacher, admitted usefully that she had also tried to smuggle heroin out of the country, and begged for merciful treatment.

But in a surprise move, the prosecutor in the Bangkok court yesterday changed the amount of heroin in the charge from 89.2gm to 102gm.



Gregory: "Why have they done this to me?"

on amounts over 100gm carry the death penalty. A distraught Miss Gregory cried: "That's the difference between life and death. Why have they done this to me?"

Miss Gregory, from Halifax, Yorkshire, said that a British man charged with her had persuaded her to carry the heroin, allegedly found in a condom hidden in her body.

The man, Robert Lock, 29, of Cambridge, pleaded not guilty in Bangkok's criminal court. No drugs were found on him when the two Britons were arrested on February 6.

## TV violence given new guidelines

By ALEXANDRA FREAN  
MEDIA CORRESPONDENT

NEW guidelines requiring greater sensitivity in the showing of violence on television were published yesterday by the BBC and the Independent Television Commission.

The BBC issued a code requiring warnings to be given before potentially disturbing programmes, to ensure that viewers have the opportunity to switch off. In a separate document, the ITC called on commercial broadcasters to reduce the amount of violence shown. The commission is particularly concerned about violence in films on satellite.

The BBC code was published as the Broadcasting Standards Council released a report censuring Look North, one of its regional news programmes, over an item on the trial of the child killer Beverly Allitt. The council said the programme was "shockingly insensitive".

The BBC accepted that the sequence was unacceptable for an early-evening factual programme and will transmit a summary of the ruling.

Guidelines, page 3  
TV, page 11

## C of E loses £800m in property market

By RUTH GLEDHILL, RELIGION CORRESPONDENT

THE Church of England lost £800 million over the four years to 1992, mainly through ill-judged investments in commercial and retail property, it was disclosed yesterday.

A report which contains sweeping criticisms of the church's financial management describes how the assets of the Church Commissioners fell by £624 million in the two years to 1991, including a £500 million drop in the value of its properties. The remaining £124 million over this period was lost on other investments.

The indictment of the policy of the commissioners, who manage the church's £2.2 billion assets, was made after an enquiry commissioned by the Archbishop of Canterbury, Dr George Carey.

Special criticism was reserved for the management of property investments. No individual was blamed directly, but it was disclosed that one person, who was not named, was "invited to leave" the staff in 1991. The report describes how one project manager was retained to oversee completion of some developments, despite living permanently abroad.

A second report, also commissioned by the archbishop,

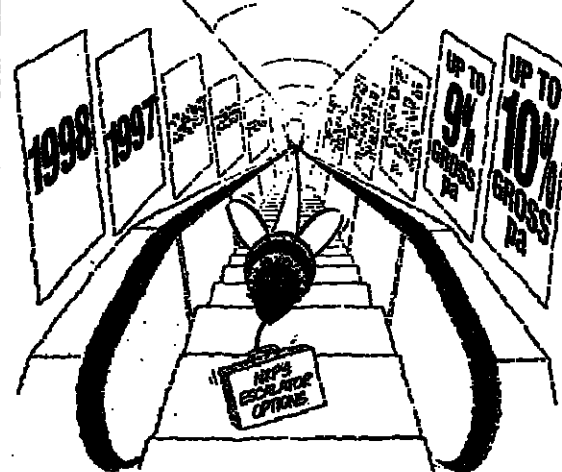
view of the church ministry future funding. It criticises the structure of the commissioners as "not well-suited to present-day requirements".

Sir Michael Colman, first church estates commissioner, yesterday apologised to church members for the losses. He said: "We do have something to apologise for. We do not think we should be disguising that." The reports "frankly revealed" over-exposure to development in properties which we do need to recognise should not have been made."

In a foreword to the reports, Dr Carey says: "We are not in the business of retributions... We can turn this opportunity to positive advantage if we become less dependent on the generosity of past generations and more wholeheartedly committed to generous giving."

The commissioners, who already pay 41 per cent of clergy stipends to the parishes 59 per cent, also face the problem of funding the non-contributory pensions of nearly 10,500 retired clergy and widows. The church is to reassess its scheme and could introduce contributory pensions for the first time.

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# The treaty timebomb that ticked away under cabinet

BY PHILIP WEBSTER  
POLITICAL EDITOR

IT BEGAN in a small Dutch town that few had heard of, fewer could pronounce and still fewer could spell. For John Major it came to symbolise triumph, despair and near disaster. "It's game, set and match for Britain," the prime minister declared after the Maastricht summit in December 1991. "We surrendered nothing. We lost nothing. I am delighted. It is a good day for Britain and a good day for Europe."

His euphoria was understandable. The prime minister's energy, tenacity and stubbornness gradually to wear down his EC partners and secure for Britain opt-outs on moves towards a single currency and the notorious social chapter. It was,

however, a judgment that was to return to haunt him.

The Conservative Euro-sceptics kept their counsel in the months leading up to the general election, knowing that a party split would have sunk their already slim chances. And when on May 22 last year the European Communities (Amendment) bill was given a second reading by an overwhelming majority of 344, not too much attention was paid to the rebel band of 22 Tories who voted against Mr Major.

But on June 2 last year, the voters of Denmark narrowly rejected the treaty in a referendum. The result gave an enormous boost to the anti-federalist campaign in Britain.

Mr Major, however, promised that the British bill would be delayed and, in what turned out to be a near-fatal decision, Douglas Hurd promised

MPs that there would be a further debate in the Commons before the bill returned for its detailed stages.

Mr Major suffered a hammer blow from which he has yet to recover when on September 16 last year a run on sterling forced Britain to withdraw from the European exchange-rate mechanism. It was more power to the elbow of the sceptics.

But the prime minister returned to the offensive, deciding effectively to put his leadership on the line in the debate promised by Mr Hurd to mark the restart of the ratification process.

Until yesterday, November 4, 1992 — the day of the so-called "paving" debate — was the most perilous of Mr Major's term of office. A few minutes before the final vote, even his whips thought that he had lost.

But in one of the most dramatic

scenes enacted on the floor of the chamber, Mr Major and Michael Heseltine went to work on the rebels even as the division proceeded. They were seen "turning" two of the rebels, Michael Cartiss and Vivian Boddall. Mr Major scraped in by three votes.

The interminable detailed committee and report stages of the bill were dominated by the social chapter. On March 30, Michael Morris, the deputy Speaker, ruled that there would not be a vote on the now famous amendment 27. But within days Labour had fashioned a new play that was to lead directly to last night. They came up with an amendment, accepted for debate by Mr Morris, that required a future vote on the social chapter after the bill had become law. It was called the "ticking timebomb", an understatement as events have proved. The government

would undoubtedly have been defeated on the amendment. So it accepted it, storing up trouble for the future.

On April 22, the bill's committee stage ended after 163 hours. The government could look back with satisfaction at a marathon in which it had suffered only one voting reverse but the timebomb was ticking.

As the bill moved on to the Lords, the government was boosted by the decision of the Dames to back the treaty in a second referendum. But 41 Tories rebelled in the Commons third reading. The Lords stages were surprisingly calm. Baroness Thatcher defied a three-line whip for the first time in her life but was soundly beaten over her demand for a referendum. On Tuesday, the Maastricht bill finally received the royal assent. And last night, the ticking stopped.

## Stretcher cases are wheeled in under crack of the whip

BY JILL SHERMAN, POLITICAL CORRESPONDENT

TWO heart attack victims and an MP who had a brain tumour added to the high drama at the Commons yesterday as they were driven to the Palace of Westminster to cast their votes.

Government and opposition whips had made desperate attempts to ensure they had a full turnout for a vote likely to be won or lost by a whisker. The efforts to drag people off their sick beds was reminiscent of the dramatic vote in March 1979 when Margaret Thatcher drove Jim Callaghan out of power, winning her no confidence motion in the Commons by a majority of one.

Dr Brian Mawhinney, the health minister, was flown back from Hong Kong on Wednesday night where he was attending his son's wedding after Labour whips made clear they would use the "stretcher vote" to try to defeat the government.

Robert Parry, 60, Labour MP for Liverpool, Riverside, who had been discharged from hospital only 24 hours after a quadruple heart bypass, was driven from Liverpool by the wife of Ian McCartney, Labour MP for Macclesfield.

Rachel Squire, Labour MP for Dunfermline West, who

had a benign brain tumour removed in March and has not attended the Commons since, arrived by train at King's Cross yesterday afternoon. Ms Squire, 39, who has not left home for five months was picked up from the station by two of her colleagues and driven to her apartment off Parliament Street to rest before going to the Commons to vote.

She was contacted on Monday by the whips office and asked if she felt well enough to travel, but a final decision was not taken till Tuesday night — prompting Dr Mawhinney's sudden recall from Hong Kong. Colleagues said Ms Squire was determined, as a former trade union official, to vote for workers' rights and to "give the government a bloody nose".

Jo Richardson, 69, Labour MP for Barking, who has been seriously ill for several months and has chronic arthritis, was also driven in.

In the early evening, as the vote still looked too close to call, Michael Heseltine, President of the Board of Trade, who had a heart attack in Venice last month, was asked to come in. Mr Heseltine was in constant contact with Richard Ryder, the chief whip,

throughout the day to check if his vote was needed. By mid-evening it was still unclear if John Patten, the education secretary, would be fit enough to come in. He is understood to be recovering from an attack of viral gastro-enteritis but has not yet been discharged from hospital.

Opposition and government whips were uncertain which of their men and women would be fit enough to walk through the Commons regulations. MPs have to cast their votes within the precincts of the House of Commons but they do not have to enter the chamber. In the past, MPs too ill to walk have arrived in ambulances and had their votes "nodded in". Under this process both opposition and government whips have to visit the sick in their ambulances or cars to check they have arrived.

The sick then make their voting preference clear verbally to both whips. The deputy or chief whip of the party concerned then "nods" through the absent votes of one or more MPs when he or she goes through the division lobby.

Debate, pages 8 & 9  
Anthony Leicester, page 16



Walking wounded: Michael Heseltine outside his London home yesterday

## Three pages that shook the Tories

BY NICHOLAS WOOD, CHIEF POLITICAL CORRESPONDENT

THE social chapter covering workers' rights and conditions is long on aspiration but short on specific proposals. It takes up only three pages of the 134-page Maastricht treaty.

More menacing, from Britain's point of view, is the declaratory social charter championed by President Mitterrand in 1989, which Margaret Thatcher alone among the 12 leaders refused to sign. The social charter gave the commission the green light for a social action programme containing 47 initiatives in areas such as the labour market, terms of employment, equal opportunities and vocational training. It is this programme that lies behind the recent rows over maternity pay and the 48-hour week.

Both documents have been denounced by ministers in Britain for seeking to add billions of pounds to industry's costs, damage competitiveness and destroy jobs.

Of the social chapter's seven articles, article one requires member states to promote "employment, improved living and working conditions, proper social conditions, dialogue between management and labour, the development of human resources with a view to high lasting employment and the combating of exclusion (of groups of people from the labour market)".

Article two promotes health and safety at work, the consultation of workers and equal opportunities for women and gives the council of ministers powers to issue directives laying down minimum requirements for gradual implementation in member states.

Article three gives the commission the task of promoting labour-management consultation across the EC.

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Article three gives the commission the task of promoting labour-management consultation across the EC.

## Rebels break ranks as reckoning nears

BY OUR CHIEF POLITICAL CORRESPONDENT

FOR the first time in their 13 months of trench warfare against the government, the Tory Euro-rebels were divided as they approached their hour of reckoning.

Most visibly, but also most superficially, they had faced the dispiriting prospect of seeing some of their fellow warriors slipping away from the field just before the battle.

First John Carlisle, the maverick MP for Luton North, stunned Westminster by announcing he was voting for the government. Michael Lord and Michael Clark, who had opposed John Major in the paving debate in November, the first big contest with the whips, pulled back. Bernard Jenkin and John Whittingdale, two fervent anti-Maastricht members of the new intake, who abstained in November, were also expected to support the government. The

split in rebel ranks looked less real as the hours ticked away. Mr Cran, while refusing to let the whips in on any secrets, delivered a defiant message.

The truth was that the rebels were split over tactics. Hardliners wanted to throw their weight behind the Labour amendment backing the social chapter and then vote down the amended motion, casting the treaty into limbo. Others, apparently including Mr Cran, could not bring themselves openly to back the social chapter.

As the whips checked their sums, offered bribes and made threats, most attention was focused on the Fresh Start group of 26 battle-hardened Tories. They joined opposition groups to inflict a defeat on the government in March and have since been prepared to oppose the prime minister at every turn.

## Confident Major goes on offensive

JOHN Major yesterday did what he should have done a long time ago. He came out fighting and offered an unequivocal lead to his party. By doing so, he ensured that whatever the outcome of the debate, he should have the support of the overwhelming majority of Tory MPs for his approach to Maastricht and the social chapter. Mr Major reinforced this later with an appeal for party unity in his address to the 1992 committee.

Mr Major had the edge on John Smith for the first time in their three confrontations

in full-scale Commons debates over the past year. Although faced with the prospect of defeat, the prime minister was, for once, not on the defensive in terms of the substance of the argument. He sounded self-confident. By contrast, Mr Smith for once did not succeed in ruffling Mr Major. He was witty but did not command.

The prime minister's central theme was that the Commons had repeatedly voted for the bill implementing the Maastricht treaty. That had now become law, opening the way for ratification.

Yesterday's debate and vote were, in his view, an irrelevance, a cynical alliance of different parties with different aims. As Mr Major put it, 71 separate votes in favour of the Maastricht bill should not be obstructed by one parliamentary motion. The implication was that Maastricht would be ratified, almost regardless of the result, once the court challenge was over. The social chapter, he said, was a serious

question, which would require separate negotiations and a separate treaty.

Mr Major did his familiar flesh-creeper act about the social chapter, a job destruction charter and all that. He even managed to generate public statements of support from Michael Lord and John Carlisle. It was like a revivalist meeting at which sinners repented. Even if his speech changed few votes, the cheers of the majority of loyalists eager to hear the last of Maastricht were genuine.

The prime minister maintained that if Britain was to retain influence over the future of the European Community, Maastricht had to be ratified. Britain must work from the inside rather than, as so often in the past, always be objecting to EC developments.

He conjured up a Europe that was at last beginning to move in Britain's direction. There was no longer the prospect of a European super-state, but rather of a Europe of nation-states which

would bring in new members, be focused on a free market approach and have minimum centralisation.

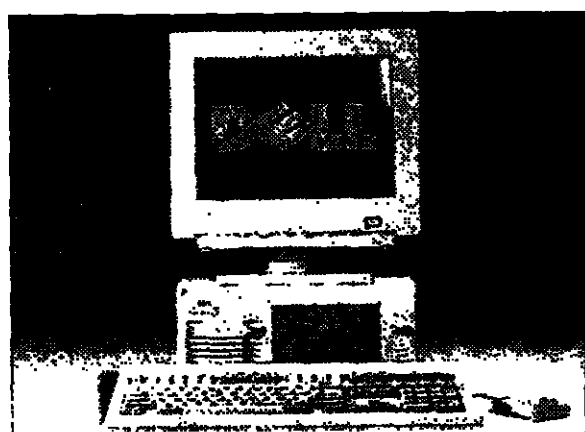
The snag, as both Mr Smith and Paddy Ashdown pointed out, was that if Britain wanted to secure influence by being on the inside, why did it want the opt-out from the social chapter? Mr Smith made it all sound innocuous, an extension of social policy acceptable to the 11 other countries.

The social chapter has grown out of all proportion to its true costs or benefits. For the Tories, it is the symbol of their rejection of Brussels interference and centralisation, around which almost all the party can unite. For Labour, it is the symbol of an alternative to Thatcherite economic and employment policies.

Mr Major yesterday paid the price for what had to be done to secure Tory party unity ahead of the election. He has obviously been severely damaged by the subsequent debilitating rows, but those should not be fatal.

PETER RIDDELL

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# Killer of university lecturer is sent to mental hospital

By PAUL WILKINSON

ROBIN Pask, who admitted the motiveless killing of Dr Elizabeth Howe, an Open University lecturer, was ordered to be detained indefinitely in a secure hospital yesterday after a jury found he was mentally incapable of standing trial.

Under a rarely used procedure the judge, Mr Justice Swinton-Thomas, formally adjourned the hearing at Leeds Crown Court until Pask is able to defend himself properly. But he accepted it was unlikely that Pask would ever return to court.

A laboratory technician with a Bolton plastics firm from Horwich, Greater Manchester, Pask, 32, had denied murdering Dr Howe, 34, at an Open University summer school at York University a year ago. He admitted her manslaughter on grounds of diminished responsibility, but the prosecution had refused to accept the plea.

As Pask was taken away to a mental institution, Dr Howe's

widower Jeremy paid tribute to his wife. In a statement, he said: "The last few days have been a nightmare for me, the family and our friends but I don't want to dwell on the trial or on Robin Pask."

"A friend said this week that Lizzie radiated goodness. As my wife and my best friend, as mother to Jessica and Lucy, as a daughter and sister, as a friend, a teacher and an academic and in her last year as a successful writer, Lizzie always found the time and the energy in her busy life to give and to care."

"She was a generous, a loving and incredibly positive person. She was also a very private person and I want to put the horrible and very public circumstances of her death behind us and remember her life and mourn the loss of someone who had achieved much and had so much more love and goodness to give."

quote Shakespeare, "My heart's best treasure". A trust has been set up by the Open University in Dr Howe's memory to encourage work in her research area of literature and women's studies. Earlier this year her book *The First English Actresses 1660-1700* won an award for its contribution to theatre writing.

Pask, who had never met the lecturer, used a kitchen knife to slash her throat in her university room. He then mutilated her body and sexually abused her before dressing in her clothes and wandering around the campus until his arrest early the following morning. He told police he had not intended to kill Dr Howe and had gone to the summer school, where he was attending a science course, with the intention of killing himself. He could not explain why he had attacked her.

Pask collapsed in the dock on Tuesday halfway through the second day of his trial and has not reappeared. Yesterday, the jury was asked to decide whether Pask was capable of giving a proper account of himself as he came to give evidence. Dr Marion Swan, one of four consultant forensic psychiatrists, said his condition had deteriorated since the trial started and he had difficulty in keeping his mind off suicide. "He has only maintained his self control by doing what he has done throughout the trial, looking at a spot on the floor and blotting out everything else," she believed he would be unable to concentrate on questions if he gave evidence.



Pask: suffering from depressive illness



Dr Howe: brilliant academic record

## Car dealer 'told boss of sexual conquest'

By A STAFF REPORTER

A CAR salesman who denies murdering a woman customer boasted to his boss that she had invited him into her flat for sex, an Old Bailey jury was told yesterday.

Winston Goulbourne, 24, claimed that Gillian Bennett, 33, a travel agent, telephoned him late at night and asked him to visit her at her home in Streatham, south London.

Mr Goulbourne, of South Norwood, south London, is accused of stabbing Miss Bennett in the chest ten days after delivering her new car and then burning her alive.

Amirshah Ahmed, his former sales manager at a west London car dealership, said: "He told me he had slept with Miss Bennett. That is all I can remember. We were in the showroom and we were very busy. He also said he had gone round there for a meal. I think she was still having problems with her car."

Mr Ahmed added that he thought Mr Goulbourne had said he left Miss Bennett's house at about 3am. The court has been told that Mr Goulbourne has since said that that boast was not true.

Miss Bennett was described as a trusting woman who had not had a boy friend for at least two years and who would not have entered into a casual sexual relationship.

The prosecution alleges that Mr Goulbourne became obsessed with Miss Bennett after watching her buy her new car. The jury has been told that he might have tampered with the vehicle to give him an excuse to call on her.

Nigel Sweeney, for the prosecution, said it might be that Mr Goulbourne visited Miss Bennett hoping to have sexual intercourse and then killed her when she rejected his advances.

The trial continues today.

## Broadcasters face tougher guidelines on TV violence

By ALEXANDRA FREAN, MEDIA CORRESPONDENT

PROGRAMME makers at the BBC and in commercial television have been issued with strict new guidelines on screen violence in response to growing public concern about its effect on young viewers.

A code published by the BBC yesterday includes the requirement that all potentially disturbing programmes start with a "health warning" to enable viewers to decide whether to switch off. Listings guides will be encouraged to print the warnings.

The revised guidelines stress the need for sensitivity in the portrayal of sexual violence and violence against women. The 9pm family viewing watershed is also to be emphasised to ensure that viewers are not taken by surprise by unsuitable material, a matter the BBC considers of particular importance during the summer months when children are likely to be watching more late television.

The new code was drawn up by a committee headed by June Dromgoole, BBC head of purchased programmes, in response to the growing public concern about the perceived links between television and anti-social behaviour.

Ms Dromgoole said: "Viewers associate the rise in violence with elements other than television. But screen violence does upset some people and, in excess, can be accused of desensitising viewers."

The publication of the code coincided with release yesterday of a report by the Broadcasting Standards Council which censured the BBC's regional news programme *Look North* over an item about the trial of the child

killer Beverly Allitt, which it said was "menacing and shockingly insensitive".

The BBC has accepted that the sequence was in unacceptable taste for an early evening factual programme and for the first time will be required to screen an on-air summary of the council's finding.

In a separate move the Independent Television Commission has published its own guidance statement on screen violence for commercial television companies.

The commission urged broadcasters to reduce the amount of violence shown and said that it would be mounting a monitoring exercise to check they did. The commission accepted that the amount of screen violence on ITV, Channel 4 and the BBC has declined since the 1980s and notes that less than 5 per cent of the complaints it receives concern violent programmes. It expresses concern, however, about the concentration of films containing violence on the satellite broadcaster BSkyB's three encrypted movie channels and has asked the company to examine its evening scheduling.

BSkyB, which is 50 per cent owned by News Corporation, owner of *The Times*' parent company News International, is to start its own research into the way subscribers use their film channels.

A commission spokesman said: "Television companies should avoid any pattern of programming which appears to promote violence as a solution to problems or difficulties."

TV without vision, page 14

## Press watchdog issues warning over chequebook journalism

### Freed drug women fly home to sell their story

By LIN JENNINGS

NEWSPAPERS bidding to buy the stories of the released drug smugglers Karyn Smith and Patricia Cahill were warned yesterday by the Press Complaints Commission that any payments to the women would be in breach of the industry's code of practice.

As the freed duo drank champagne on their flight from Bangkok to London, besieged by newspaper reporters, Lord McGregor of Durris, the PCC chairman, warned editors that payments should not be made to people convicted of a crime, or their associates.

Arriving at Heathrow airport, the women - who were freed from long jail terms after smuggling heroin worth £4 million - were interviewed briefly by detectives from the West Midlands. A police spokesman said: "We want to see if they have any useful information about drug dealing in the UK."

He said that the women had not been arrested and would be given time for family reunions before further questioning. Last night, both women had gone to secret addresses for private reunions.

Miss Smith, 21, hugged her parents after flying in, and declared: "Wow! It's great to see you both." Eric and Marilyn Smith had flown out to Bangkok at the expense of the *Birmingham Evening Mail*, but arrived an hour after the women had left for London. Miss Cahill, 20, did not meet her parents at the airport and left with a reporter from a Sunday newspaper.

Collapsing into her parents' arms, Miss Smith said: "It's wonderful to be back home, and to be with my mum and dad." She described her feelings when she saw the sun rise for the first time in three years, after her release from a Bangkok prison: "It was so beautiful. While I've been in prison I didn't even see the stars."

Miss Smith was sentenced to 25 years after she and Miss



Welcome home: Marilyn and Eric Smith hug their daughter Karyn after her arrival in London

Cahill, both from the Midlands, were caught with 26kg (57lb) of heroin in their luggage in July 1990, at the Bangkok airport. Miss Cahill was jailed for 18 years and nine months.

Miss Smith said: "Our release came as a big surprise and I could not believe it. We were called into an office and simply told to sign out all our money from our prison accounts. I didn't know why."

She said that British Embassy staff came to the jail to break the good news. After

the relevant papers had arrived, Jean Sharp, the British consul, went with them to the immigration department and then on to the airport.

"We found that the authorities had actually booked a place on a British Airways plane for us and the embassy had helped to get the tickets. The Thai wanted us out of the country there and then," Miss Smith said.

"Jean Sharp told me that my mother and father were on their way. But when she told me that I was going to

have to leave... and could not wait and go with them, I began crying because I knew I would feel so lonely," Miss Smith, who said she had missed fish and chips in jail, thanked John Major for his help in securing her freedom.

The row over the auction of their respective stories continued yesterday. Lord McGregor said he wanted to clarify the position since it was clear both women were looking to sell the stories of their life in prison. He said that Mr Major had not disputed their

convictions and that their release was on humanitarian grounds.

The *Birmingham Evening Mail* denied breaching the newspaper code of practice and said it had paid for the Smiths' flights as they "would do for any innocent Midland parents in similar circumstances - the *Evening Mail* has made no financial contribution to the family at any time and does not intend to do so."

Thai drug charge, page 1

## Dog kidnap defendant acquitted

By ROBIN YOUNG

FREDA Cunningham, the pet cemetery owner accused of demanding £65,000 ransom from a pensioner for her stolen dachshund, was yesterday acquitted of blackmail.

Mrs Cunningham had been accused of attempting to secure the ransom after a dog called Tanya was stolen from the car of her owner, Doreen Jinks, a widow from Chellaston, Derbyshire. Recorder Spencer QC told a *Birmingham Crown Court* jury: "I have come to the conclusion that as a matter of law this defendant cannot be convicted. I do not think it would be helpful or constructive to set out in any detail why I came to that conclusion."

Peter Walmsley, for the prosecution, said that the day after Tanya was stolen from the back of Mrs Jinks's car last July, Mrs Cunningham, of Weston upon Trent, Derbyshire, claimed to have received a telephone call from those who had kidnapped the dog. She said they had demanded £65,000 for the return of the dog, and offered to take the money to them.

Mr Walmsley said that as the owner of the Petcare cemetery and crematorium, Mrs Cunningham, who had denied blackmail, was in a position to dispose of the dog without trace. The dachshund had never been seen again after being stolen.

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## Businessman loses paternity appeal

By A STAFF REPORTER

A MILLIONAIRE businessman was yesterday ordered to keep paying for the upkeep of the nine-year-old girl he refuses to accept is his daughter.

At the centre of Wilfred Tomlinson's five-year battle over paternity is his refusal to undergo a DNA genetic fingerprinting test which could conclusively rule him out as the father.

Mr Tomlinson, 50, says that is an "intolerable devaluation of his rights as a human being", said Lord Justice Balcombe in the Court of Appeal.

However, he said, magistrates in Birmingham who made the paternity order in January 1992 were within their rights to take it into account when they

considered his refusal to give evidence. Mr Tomlinson, who is married with three children and lives in Upton Snodsbury, Hereford and Worcester, conducted his appeal in person with Jane, his wife of 30 years, by his side.

At the verdict, he told the judges: "I am shattered by your decision as I know I am not the father of this child."

The child in question, Fleur, was born in June 1984 and, according to her mother Maxine Duckett, 38, was conceived during one night of sex with Mr Tomlinson. He denies they ever made love. But Mrs Duckett said he made provision for Fleur, giving her gifts and clothes, only stopping when his wife found out.

Mrs Duckett, of Earlsdon, Coventry, who remarried in 1988 and told her first husband he was Fleur's father, broke down in tears at the result of the appeal. She said outside court: "I am very pleased. It has taken a long time. We hope it will end here. I feel very sorry for him because he is missing out on a beautiful daughter he wants to deny."

Mr Tomlinson also lost his appeal against the size of the payments to the girl. He was ordered to pay her £40 a week for two years from February 1990 to January 1992 and £72 a week thereafter, also a lump sum of £1,000 and half of all school fees. He was also ordered to pay legal costs of £7,414.

The Court of Appeal judges refused Mr Tomlinson leave to appeal to the House of Lords.



# Recovery can no longer be doubted

BY JANET BUSH  
ECONOMICS CORRESPONDENT

THERE is no doubt that it's real: Britain is coming out of recession and the Chancellor of the Exchequer was right in his positive assessment of the recovery this week.

The past fortnight has seen a batch of surprisingly good economic figures including stronger than expected high street sales, healthy increases in manufacturing production and another fall in unemployment. This appears to add up to a far stronger recovery than the government's budget forecast of 1.25 per cent growth this year. Most City economists are now looking for growth of 1.5 to 2 per cent, which, unusually, is more optimistic than the Treasury.

Kenneth Clarke, the Chancellor, told a Commons select committee this week that Brit-

**A series of buoyant figures has given the Chancellor ample ammunition against claims of premature economic optimism**

ain was experiencing an "all-round recovery" which, so far, was "good and balanced". He is confident, although still anxious to avoid the bouts of premature euphoria that so damaged his predecessor.

What is happening to the economy is the result of sterling's departure from the exchange-rate mechanism, which this week looks as sick as ever. Devaluation has a remarkably quick effect and is even more efficacious when inflation is battered down.

Although the pound's strong rally in recent weeks has wiped out more than a third of the competitive advantage to industry from the

devaluation last autumn, industry is still enjoying a considerable boost.

Manufacturing industry, and exporters in particular, are performing well and the 1.8 per cent rise in output in May was the biggest monthly jump for four years.

Figures for engineering orders show that exports soared 42 per cent in the past three months, admittedly from a very low level. At home, where companies are investing heavily for the future, orders rose 20 per cent.

Michael Saunders, chief UK economist at the American securities house Salomon Brothers, said almost all of the

growth in the economy from the final quarter of last year appeared to have come from net exports. "The recovery is as good as the Chancellor says, but the important thing is that it is being led by exports rather than domestic demand."

Perversely, it is helpful that many people are still in debt and remain concerned, although less so, about losing jobs and the value of their homes. In spite of the fanfare this week surrounding the jump in retail sales in June, domestic demand has been stagnant this year and the surge in high street sales owed much to early summer sales.

This may mean that there is not much of a feel-good factor to this recovery but it is good news for the economy as a whole, which needs to suck resources away from consumers into industry and invest-

ment if it is to be sustained. There are still those in the City who have doubts, despite the auspicious signs. Roger Bootle, chief economist at Midland Bank, pointed to several key areas of activity which remain weak, including the housing market, consumer confidence and bank lending. These are helping to keep inflation low, he said, but low inflation should not be hailed as evidence of recovery.

Mr Bootle also had doubts about some of the optimistic figures published recently. But he said: "I know I am coming up with a ragbag of excuses, which makes me feel somewhat uncomfortable."

The figures most questioned by economists are those on unemployment, which have been falling in a way untypical of earlier recessions. With employment having fallen in the first quarter of the year,

there are suspicions that falling jobless totals owe most to the attitude of benefits officers. Nevertheless, more optimism came yesterday with a report from the British Chambers of Commerce which suggested that more companies planned to recruit staff during the summer, and that "this quarter may finally herald a turnaround in the UK's employment prospects".

So what should the Chancellor do now? Chris Dillow, UK economist with Nomura International Research, part of the largest Japanese securities house, said: "Forget about economic policy — it has served the British economy extremely badly over the last 20 years. I would leave the economy alone to get on with it and urge the Chancellor to take a long holiday."

Oxygen for optimism, page 25

## The jambuster: 14-lane highway will steer away local traffic

### Minister backs £250m scheme to widen M25

BY MICHAEL DYNES, WHITEHALL CORRESPONDENT

THE most congested section of the M25 orbital motorway, which is the busiest road in Europe, is to be transformed into a 14-lane American-style highway.

Three-lane link roads are planned for each side of the four-lane motorway between junction 12 at Thorpe and junction 15 at Colindale. John MacGregor, the transport secretary, announced yesterday. Two-lane link roads are also proposed for the 11-mile section of motorway between the M4 and the M40, while the existing three-lane motorway between junctions 7 and 8 and junctions 10 and 11 in Surrey will be widened to four lanes in each direction to cope with increased traffic.

The link road proposals will cost an estimated £250 million although Mr MacGregor insisted that no link roads were planned for 70 per cent of the 119-mile orbital motorway.

Parallel link roads are designed to ease the traffic burden by providing alternative routes for local journeys. This will eliminate junction hopping and free the motorway for long-distance traffic. Link roads are needed only where the distance between junctions is short. Longer distances generally inhibit junction hopping by local drivers.

Each section of the original three-lane M25 was designed to carry about 88,000 vehicles a day but traffic growth has pushed this up to more than 145,000 in many sections.

Responding to environmen-

talist criticisms of the widening proposals, Mr MacGregor said: "Doing nothing is not an option. Parts of the M25 are jammed to capacity and, if something is not done, traffic will divert into the local villages, bringing noise, congestion and pollution and ruining the standard of life that residents have achieved since the motorway was first built."

A public enquiry is expected to start next summer for the £144 million link road between junctions 12 and 15. The £52 million link road for the 11-mile section of motorway between junctions 15 and 16 will now go to public consultation. M25 widening in Surrey will cost £45 million. Work will begin next year and take 15 months, Mr MacGregor said.

Stephen Joseph, director of Transport 2000, the public transport campaign group, said: "The widening proposals will not solve congestion."

William Sheate, transport campaigner for the Council for the Protection of Rural England, said: "The transport department is determined to increase road capacity when all it will do is increase traffic. Ministers seem intent on turning the M25 into the widest highway outside North America."

An Automobile Association spokesman said: "The M25 was both a central hub of the national motorway network and a road which served as a bypass for London and the suburbs. The new link roads will help to take the load off the M25."



Too close for comfort: residents at Egham, Surrey, next to the M25

### Motorists reject toll option

BY A STAFF REPORTER

MOST motorists would refuse to pay to travel on British motorways if tolls were introduced, a survey by the Automobile Association says.

Eighty-eight per cent of motorists questioned said they would not pay. A third used motorways at least once a week and 69 per cent of those would use the roads less or not at all if tolls were introduced.

The government's green paper, *Paying for Better Motorways*, estimates that a charge of 1.5p a mile would result in 10 per cent of drivers using alternative routes. Doubling or halving the charge would lead to broadly proportionate changes in the numbers of drivers refusing to use motorways.

The AA said it would fight the proposals on behalf of motorists and people living on A and B roads, who might be swamped with traffic if motorway charges were introduced.

Kenneth Faircloth, the AA's deputy director-general, said: "If the charge were 3p a mile, it means that 20 per cent of traffic currently using the motorways would be back on the A and B roads, with all the consequent environmental and health damage."

"The motorways and by-passes were built, in the first place, to speed up communications, to get heavy traffic off our minor roads and to improve road safety. Do we really want thousands of cars and trucks going through towns and villages, when we have spent millions of pounds to give some sanity back to these communities? I think not, and I suspect there will be few who disagree."

## Where even 14 lanes are not enough

BY KEVIN EASON, MOTORING CORRESPONDENT

A SUPER-HIGHWAY capable of coping with more than twice the number of cars and lorries that use the M25 is creaking at the seams as car ownership increases.

Highway 401 in Canada, which at more than 600 miles is one of the world's longest motorways, stretches from the Quebec border to Windsor, Ontario. Where it cuts through the commercial heart of Toronto, traffic converges from business and urban districts to form one of the busiest roads on earth.

There are 14 lanes at the road's widest point trying to accommodate 350,000 cars a day feeding in and out of the system. Only about 145,000 cars a day use the M25 at its busiest point, between junctions 12, the exit for the M3, and 13, the A30 turn for Staines and London.

Traffic authorities in Toronto discovered that as the number of lanes grew, so did the traffic as cars poured into the new commercial areas of the city, seeking more parking spaces. The problem is reflected in all of the world's major cities, where affluence has brought greater car

ownership and public transport has been run down or is non-existent, making the car the main vehicle for commuter travel.

More than 700 miles of freeways around Los Angeles in California make up one of the world's most sophisticated road networks. But roads of up to ten lanes are often jammed with commuters simply because there is no other means of travel to the city.

In Toronto, traffic slows below about 55kph (35mph) only at peak times — a speed that would delight most M25 users when an accident forces lane closures. However, a relief road, Highway 407, is to be built parallel with 401 to take some traffic from the most congested points.

Claude Sherwood, a manager at the Ministry of Transportation in Ontario, said yesterday: "Even with such a wide road, there are so many joining and exit points that there are bound to be hold-ups along the most busy areas in the city and we had to do something to help that."

The 401 in Toronto is divided so that six central lanes are sectioned off for cruising

traffic at the 100kph (62mph) speed limit, with up to eight more lanes available for joining and leaving.

The Toronto system is relatively efficient, whereas drivers in cities across the rest of North America, the land of the super-highway, often cope less well. Driving around Los Angeles has become so frustrating that motorists have resorted to using guns to get where they want to go. Car owners have been driven to psychiatrists not only to cope with the stress of sitting for long periods on wide freeways jammed with traffic, but also with the threat of violence.

In spite of the congestion that plagues the M25, there is no sign of drivers taking to such extreme measures. However, advice issued to Californians may be helpful. Drivers stressed by jams and threatened by motorists around them are told to play restful music on the car stereo, keep the air-conditioner or cool fan on, keep windows closed to reduce traffic noise, take deep breaths, and strive never to antagonise other drivers.

ment, which grudgingly provided a handful of residents with a mere £1,500 as compensation for the additional traffic noise generated by the widened M25.

Contrary to claims made by transport officials, Mrs Prior insists: "The M25 has not taken traffic off our roads. People go through Egham to get to the M25. A wider motorway will attract even more traffic."

Barry Swadling, 37, a mechanic living on Egham's Manorcroft estate, has been trying to get the transport department to buy his one-bedroom flat for more than a year. He lives about 100 yards from the M25. When the link roads are built on the green separating his flat from the motorway, he will be about 20 yards away from the unrelenting drone of traffic.

"I can't sleep, I can't eat, and I'm stuck here. It's diabolical," he said.

Thorpe residents have joined forces with their neighbours in the adjacent town of Egham, both of which are facing the threat of property demolition, increased noise pollution, and a permanent property blight. Many have been coloured by earlier dealings with the transport depart-



Noisy neighbour: the M25 near Staines in Surrey

"will destroy historic Thorpe village", which dates from the 11th century.

"We know we are facing a long and arduous campaign," she said. "It's difficult for someone who hasn't fought a large public enquiry to appreciate how much work is involved. It all has to be done by working people in their spare time. But we are not going to

let it happen," she said defiantly.

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### Bank customers' complaints grow

Consumer dissatisfaction with the high street banks has risen sharply over the past ten years, according to a survey today. The MORI poll for the National Consumer Council says that one in five account holders has had difficulties with his or her branch over the past 12 months. One in 14 found errors in payments of standing orders and one in 25 found errors in statements or bank charges.

More than half those questioned said their bank gave no information about any complaints procedure. A quarter were dissatisfied even after complaining. Lady Wilcox, chairman of the council, called for conditions of the voluntary banking code of practice to be improved and enforced.

### Police adviser libelled

George Crichton, an adviser for the Police Federation on disciplinary matters, accepted substantial undisclosed libel damages in the High Court yesterday over a *Mail on Sunday* article in June last year which suggested he had been involved in a plot to smear Alison Halford, former Assistant Chief Constable of Merseyside. Associated Newspapers, which accepted that there was no evidence to support the allegation, apologised to Mr Crichton and agreed to pay his legal costs.

### Fishing plan challenged

Fishermen won permission yesterday to challenge in the High Court government plans to limit the number of days boats can spend at sea. The National Federation of Fishermen's Organisations, which says that proposed legislation will financially cripple the UK industry, was given leave to apply for a judicial review.

### King's leads exam table

King's College heads the Cambridge University examination league table for the fourth year running, according to figures compiled by Peter Tompkins, a London actuary. Queens' came second. The biggest improver was Downing, which leapt from twenty-first to sixth. The rankings are based on final-year examination results.

### Five share chess lead

Five grandmasters share the lead after five rounds of the FIDE chess Interzonal in Biel, Switzerland. The leaders, all on four points, are Visly Anand (India), Evgeny Bareev (Russia), Mikhail Gurevich (Belgium), Valery Salov (Russia) and Paul van der Sterren (Holland). Jon Speelman of Britain has 3½ points. Championship chess, page 5

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# Met Office predicts bright future for weather forecasts

By Nick Nuttall  
Technology Correspondent

BRITAIN'S weather forecasts are becoming more accurate, with promises of even more improvements over the next two years, covering everything from summer storms to those notorious leaves on British Rail lines.

The Meteorological Office said yesterday that the precision of the nation's 24-hour forecasts had risen from 83 per cent to 85 per cent in the past year, mainly through improvements in estimating the effects of temperature and wind on rainfall. Dr Paul Mason, chief scientist at the office, said: "The improvement relates to the evaporation of falling rain. We can now more properly allow for the water that does not fall to the ground but evaporates back into the atmosphere."

The office, which has slotted the calculation into its unified model, also revealed that it was working with government agricultural scientists to help British Rail to reduce delays from falling leaves. The leaf forecasts will be put to the test in early autumn when trackside trees begin shedding their foliage.

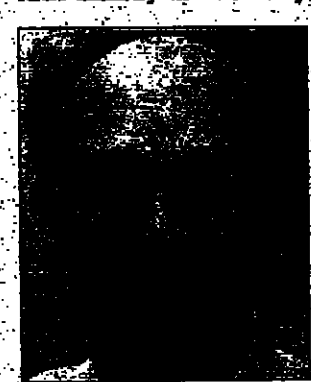
In a separate development, scientists have also devised a computer system to boost the accuracy of forecasting heavy summer storms a few hours in advance. Such forecasts are vital for event organisers, including those at Wimbledon or motor racing.

Dr Mason said they had automated observations from satellites and the UK's weather radar system, called Frontiers. "Our current accuracy for short period rainfall

## Improvements in weather forecasting will be tested when trackside trees start dropping leaves on the line this autumn

is about 50 per cent... the aim now is to take it to near 70 per cent," he said. The service is expected to be made available within two years.

Details of the improvements came at the launch of the office's annual report where officials highlighted the growth in weather services being offered, with many new ones in the pipeline. Yesterday it was disclosed that the defence ministry now routinely



Mason: evaporation of rain is key to accuracy

calls off exercises involving explosives or the firing of guns, on the basis of unfavourable forecasts.

Dr Peter Ryder, deputy chief executive, said: "We produce an accurate forecast... we predict where the rain has its peak, based on a particular temperature structure in the atmosphere, and the direction and height the wind is blowing. If the noise peak is over a populated area they (the mili-

tary) will find something else to do." The noise forecasts, which are being refined by the office and University of Salford researchers working at the defence ministry's Shoeburyness range, are being applied to motorway building schemes to protect local residents.

Professor Julian Hunt, the office's chief executive, said the biggest challenge facing the office was how to rapidly disseminate the huge meteorological knowledge now available. Increasingly, the office is turning to fax, personal computers and telephone links that are giving specialist groups, such as aviators and farmers, tailored forecasts.

Bernard Herdman, the office's commercial director, said they planned to unveil a fax service to the general public in the autumn offering local weather charts, satellite images and other weather information for about £1 a page.

People are watching less TV, they are out and about. These activities are weather sensitive. People are not prepared to drive 200 miles if the weather is not what they expect," said Professor Hunt.

The office also disclosed details of the serious and bizarre queries received from the public. Obsessions appear to range from the weight of snow to the age of the sun, as well as questions on the weather conditions prevailing in the first century AD.

Leading article, page 17

## Bitten by the giant insect bug

Simon Walker



Insectomania strikes: huge robotic insects have invaded the Natural History Museum (Nigel Hawkes writes). Munching, flapping their wings and unsheathing their claws, the models were made in Japan by Kokoro, whose designers also made the museum's robotic dinosaurs. Hydraulically powered, the insects rear up, fight each other or stretch their powerful legs.

Yesterday, six-year-old Nils Ten Wolde from Holland, above, who is in London on holiday with his parents, met the huge praying mantis which is 60 times life size. The creature lies in wait, its legs poised as if in prayer, before striking with its spiked arms. It seldom misses.

At least a million species of insects are known, but millions more are believed to be

unaccounted and undescribed. The display, which is open until the end of October, takes 11 species and blows them up to between 30 and 600 times life size.

The exhibition kills one well-loved legend, Miranda MacQuitty, a specialist in arachnids, said that the female mantis does not eat the male after mating. That only happens in captivity, or when the females are feeling especially hungry. But the males tread carefully, approaching with caution and making all the right signals before leaping on to the female's back, out of range of her claws.

The models arrived from Japan with a stowaway aboard - the first Japanese cockroach to be imported live into Britain. It is now part of the museum's collection.

## High marks from public but museums could do better

By John Young

BRITAIN'S leading museums and galleries score very highly with visitors but there is room for improvement in presentation and facilities, a report published today says.

The report, by the National Audit Office, covers the British Museum, the National Gallery, the National Portrait Gallery, the Natural History Museum and the Science Museum, the last including the National Railway Museum in York and the National Museum of Photography, Film and Television in Bradford.

In a survey, 98 per cent of visitors said that they were satisfied or very satisfied. But the number very satisfied with the Science Museum was lower, attributed to admission charges.

"Charging heightens people's awareness of value and quality, and one would expect them to be more critical in a museum that charges," the report says. The museum considered that the absence of a programme of tempo-

### Most visited museums and galleries

	1991 visits
1 British Museum, London	5,061,000
2 National Gallery, London	4,280,000
3 Tate Gallery, London	1,916,000
4 Natural History Museum, London	1,500,000
5 Science Museum, London	1,228,000
6 Victoria and Albert Museum, London	1,068,000
7 Glasgow Art Gallery and Museum	898,000
8 Royal Academy, London	808,000
9 Jorvik Viking Centre, York	781,000
10 Birmingham Museum and Art Gallery	754,000
11 National Museum of Photography, Film and Television, Bradford	711,000
12 Castle Museum, Nottingham	626,000
13 Tate Gallery, Liverpool	597,000
14 National Portrait Gallery, London	580,000
15 National Maritime Museum, London	568,000

Source: British Tourist Authority/English Tourist Board

rary exhibitions also had an adverse effect, and said that its own MORI polls between September 1988 and May 1992 showed more favourable results than the audit office survey.

In 1992-3, the 11 national museums and galleries in England spent about £244 million, of which £192 million was grants. They attract about 22 million visitors a year, about a quarter of the total visiting all museums

and galleries in the United Kingdom.

But the Natural History and Science Museums consider their refurbishing programmes are not keeping pace with the rate of decay of their galleries, nor with changes in science and technology, the report says.

Department of National Heritage, National Museums and Galleries: Quality of Service to the Public (Stationery Office, £8.25)

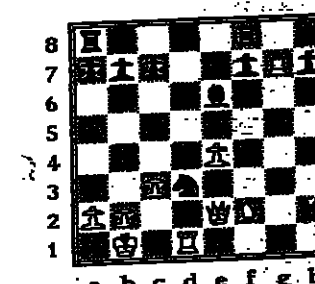
## THE WORLD CHAMP

By Raymond Keene  
Chess Correspondent

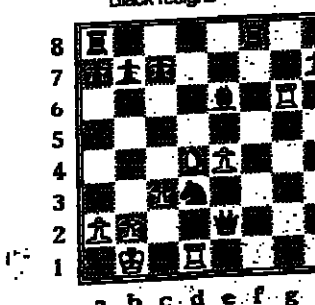
FOR the past week I have been paying tribute to the great English master Howard Staunton. Nigel Short's most prominent predecessor in the pantheon of English chess notables. Here we have one of his most dramatic finales.

A queen sacrifice is offered on the first move in the diagram which shows the crisis of the game. In the second diagram, where Black capitulated, Staunton is himself threatened with a one-move checkmate in no less than two different ways. However, the scything action of White's bishop towards the black king means that Black can only helplessly interpose his knight and his rook before submitting to the inevitable checkmate.

White: Staunton  
Black: Harrison  
London 1842



1 Bc4 Qc2  
2 Rf7+ Kf8  
3 Rg7+ Kh8  
4 Rg6+  
Black resigns

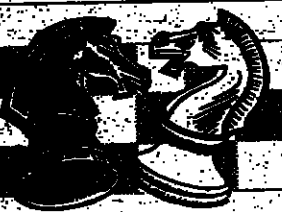


1 Bc4 Qc2  
2 Rf7+ Kf8  
3 Rg7+ Kh8  
4 Rg6+  
Black resigns

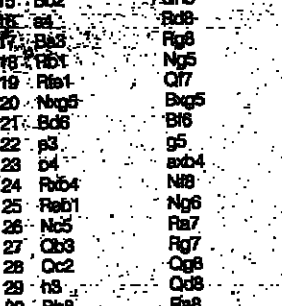
I continue today with my occasional series giving all the games between Kasparov and Short in the run-up to The Times World Chess Championship. I watched this game in progress and well remember how unlucky I thought Nigel was to lose, having established what looked like an impregnable fortress.

White: Garry Kasparov  
Black: Nigel Short  
Brussels 1987

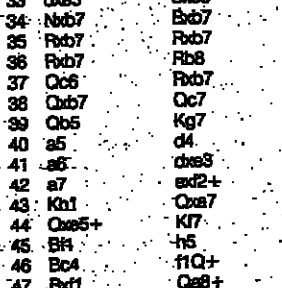
	Dutch Defence	
1 d4	e6	
2 g3	f5	
3 Bg2	Nf6	
4 Nf3	Be7	
5 e4	d5	
6 d5	c5	
7 Nb2	Nb7	
8 Nd3	Nc4	
9 Nc3	Bf6	
10 Qc2	Kf8	
11 Nf3	Kf8	
12 b3	Qc8	



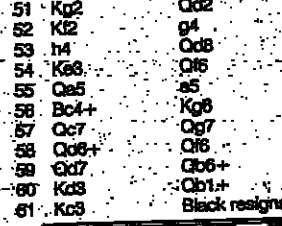
1 Bc4 Qc2  
2 Rf7+ Kf8  
3 Rg7+ Kh8  
4 Rg6+  
Black resigns



1 Bc4 Qc2  
2 Rf7+ Kf8  
3 Rg7+ Kh8  
4 Rg6+  
Black resigns



1 Bc4 Qc2  
2 Rf7+ Kf8  
3 Rg7+ Kh8  
4 Rg6+  
Black resigns



1 Bc4 Qc2  
2 Rf7+ Kf8  
3 Rg7+ Kh8  
4 Rg6+  
Black resigns



1 Bc4 Qc2  
2 Rf7+ Kf8  
3 Rg7+ Kh8  
4 Rg6+  
Black resigns

The Saturday magazine in The Times tomorrow will feature Nigel Short's greatest tournaments.

Readers' games

I have been deluged with games played by Times readers and sent in for possible inclusion in this column. From now on, I will award a monthly prize of a chess book for the best game submitted, so keep them coming. Send your efforts to Raymond Keene, c/o Championship Chess, The Times, 1 Pennington St, London E1 9JN.

Championship update

For credit card bookings for The Times World Chess Championship, ring First Call on 071-497 9977 24 hours, 7 days a week. Those booking during July will be given in addition a voucher for a lunch at Simpsons-in-the-Strand worth about £30.

Winning Move, page 40

## Man faces triple death charges

A 45-year-old man was committed for trial at Newcastle upon Tyne Crown Court charged with kidnapping and murdering three girls in the 1980s.

Robert Black, of Stamford Hill, north London, is accused of the kidnap and murder of Susan Maxwell; the unlawful imprisonment and murder of Caroline Hogg; the kidnap and murder of Sarah Harper; and also the kidnap of Teresa Thornhill. Mr Black, a former van driver, was not present at Newcastle Magistrates' Court.

## Killed by drink

Tommy Caton, a former England under 21 footballer whose career was ended by a knee injury, died from a heart attack brought on by alcohol abuse, an Oxford inquest was told. Caton, 30, was found dead at his flat in Bampton, Oxfordshire. Verdict: natural causes.

## Red menace

Police in Chelsea, west London, are hunting a man with red-dyed hair who squirts tomato sauce on shoppers before picking their pockets as he wipes it off.

## Nadir haul

A miniature decanter and other trinkets belonging to the fugitive businessman Asil Nadir, which were due to be auctioned, have been stolen from Christie's in London.

## Light fingered

Police who stopped a yacht leaving Gosport harbour: to tell the skipper to turn on his lights later learnt that the £100,000 craft had been stolen.

## No escape

Woodmen at Durham castle have uncovered a Norman dungeon thought to have been used to dispose of prisoners.

## Time to pick fruit for the best bargains

SUMMER fruits are among the week's bargains. Spanish Galia melons are less than £1 each at most shops; Tesco has tangerines at £1.49 for 3lb and Waitrose has honey tangerines at 48p for ten.

At Asda, Granny Smith apples are 29p a lb and watermelons 89p each; Safeway is offering eight kiwi fruit for 89p. Tesco is also selling nectarines at 89p for eight.

There are some meat bargains, although prices are relatively high this week. Safeway has cut the price of lamb loin chops from £3.59 to £2.98 a lb. Gateway has them 10p cheaper at £2.88 per lb. At Sainsbury, a leg of lamb is £1.98 a lb, a saving of 60p on last week.

There is a wider variety of fish available than in recent weeks but few bargains. Salmon steaks are now about £3 a lb in most outlets and cod is in abundant supply and moderately priced. Tesco has

fillets for £1.98 a lb and Iceland is offering six frozen cod steaks for £2.49. Flat fish is also recommended, with most cuts selling for about £3.80 a lb.

This week's advertised best buys: Asda: boneless chicken breast, £6.59 for 6; honey roast ham, £2.36 a lb; Granny Smith apples, 29p a lb; oranges, 79p for 10; watermelons, 89p each; rindless back bacon, 99p for 200g.

Harrods: Israeli green figs, 68 a lb; salmon trout, £5.50 a lb; rainbow trout, £1.65 a lb; Black Forest ham, £7.95 a lb; Knauschen ham, £7.95 a lb.

Iceland: chicken breasts, £4.99 for 4lb; cod fish fingers, £1.99 for 50; cod steaks, £2.49 for 6; prawns, £2.99 for 400g; green beans, £1.49 for 4lb.

Safeway: medium salmon, £1.29 for 213g; honey roast ham, 87p for 160g; lamb loin chops, £2.98 a lb; kiwi fruit, 89p for 8; brachburn apples, 45p a lb.

Sainsbury: salmon steaks, £2.95 a lb; nectarines, 89p for 10; leg of lamb, £1.98 a lb; pork chops, £3.49 a 3lb; chicken quarters, 84p for 2.

Tesco: nectarine, 89p for 8; cauliflowers, 55p each; tangerines, £1.49 for 3lb; salmon tail fillets, £4.39 a lb; cod fillet, £1.98 a lb; venison steaks, £4.99 for 12oz.

Waitrose: lamb shoulder chops, £1.99 a lb; ground lamb, £1.89 a lb; cooked crevettes, £5.95 a lb; lemon sole goujons, £3.95 a lb, large honeydew melons 85p each; honey tangerines, 48p a lb.

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We are bu  
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a bitter se



Sweep in  
a new world



The last of a Times series looks at the Chinese, whose virtues and vices remain traditionally apart

# We are but islands in a bitter sea

**BRITONS**

Hard-working, secretive, xenophobic?

British Chinese talk to Bill Frost

**B**eleaguered by what they believe are destructive influences, the leaders of Britain's 160,000-strong Chinese community have mounted a campaign to isolate their young people from "decadent" British culture.

Each weekend, thousands of Chinese children and teenagers file into classrooms for lessons in Cantonese. From Soho to Manchester's Chinatown, teachers try to ensure that pupils maintain their separateness from the host community.

David Tan, Westminster council's Chinese community liaison officer, is determined that the pervasive influence of contemporary British youth culture should be countered. "The classes help the children to maintain their respect for tradition and their elders. If they were not taught about the culture, they would forget where they came from. Youth culture here is about loud music, drugs and half-naked people. We must protect our children by making sure they do not copy what they see around them."

A walk through the streets of Shafesbury Avenue that make up London's Chinatown gives substance to Mr Tan's fears. The sex shops do a bustling trade, an obvious drug deal takes place outside a pub, a woman wastefully attempts to entice two Chinese youths into a peep show.

"We teach the young to turn away from the worst in British society while not rejecting people simply because they are white or British," Mr Tan said. "We are different. Even though they were born here, our children must remember that to ignore our Confucian teachings is to bring shame on the family."

In his offices on Shafesbury Avenue, Tony Man, a leading figure in Chinatown, explained why so many of his contemporaries who came to Britain 30 years ago from the New Territories of Hong Kong had rejected assimilation. "I arrived in 1965 and found the place cold, grey and unfriendly. My understanding of British culture was coloured by the strip clubs, brothels and gambling dens all around us."

Mr Man, an independent financial adviser, added: "Our family traditions pass from generation to generation. They have endured for thousands of years. I have three children now and they are all bilingual. But in addition to the language, we teach courtesy and respect."

The sense of tradition is certainly stronger and has stood the test of time. I am afraid I have to say that, despite a lot of positive elements, British culture is decadent by comparison."

Perhaps to mollify his questioner, Mr Man admitted that the Chinese community had not done all it might to achieve closer integration. "Yes, we are xenophob-

ic, there is prejudice and there is nepotism. We may appear to be a closed society, but in part that is our natural reserve and modesty."

Frankie Chan, neither reserved nor unduly modest, has on his own admission fallen between two cultural stools. A successful society hairdresser with a West End salon, he feels rooted neither in Hong Kong nor London. "I am culturally confused all the time. I have been here so long, I know so many British people and yet I still sometimes feel very alienated — a real outsider."

After coming here to study in the mid-1970s, he soon realised that his links with Hong Kong were disappearing. "I returned there and knew that I could not go back to live. I didn't belong. I regret it sometimes." Although he has many English friends, Mr Chan thinks he is still regarded as a foreigner. "There is prejudice in

this country. Most of it is directed towards blacks and Asians, but I sense it too."

Mr Chan's wife Jackie, who is Scottish, also spoke of his cultural confusion. "He comes back from Hong Kong after a visit, which reawakens some of the old traditions. After the trip, he thinks a Chinese wife might be more respectful than I am, and that it would be acceptable to have a mistress. But I soon put him right."

Looking wistfully at his reflection in one of the salon's mirrors, Mr Chan, 34, said that although friends tried to make him feel welcome in London he might be happier living in the United States, "where there is a greater willingness to communicate with newcomers."

Sitting on a bench in the heart of Manchester's Chinatown, the streets behind the Piccadilly main-



Party time: workers in London's Chinatown prepare for the autumn festival



On the fringe: Frankie Chan feels culturally confused

## Triad victim defies thugs

One restaurateur who fought off extortion is demanding police action

**M**asked and brandishing crowbars, two men attacked earlier this month against one of Soho's leading Chinese restaurateurs (Bill Frost writes). Their victim's only offence had been to stand out against the rise of organised crime in a community that has been notoriously unwilling to report extortion attempts to the police. But, forewarned that he had been earmarked for retribution by the Wo Shing Wo Triads, the restaurateur had taken precautions.

Pulling a meat cleaver from a drawer beneath the counter, Patrick Tsang chased his assailants into the street as diners looked on in terror. "Triads, they think they can scare me into paying like the others. They have bitten off more than they can chew this time," Mr Tsang said grimly last week as he called on police to act against Chinatown's equivalent of the Cosa Nostra.

The pattern of Triad activity in Soho is being repeated in Manchester's Chinatown as the gangsters become ever more greedy and violent.

Mr Tsang, proprietor of the King's Court restaurant in Romilly Street, Soho, was first "asked" to pay protection money almost four years ago. The Triads smashed up the restaurant, threatened diners and told the staff that "their days were numbered" if they continued to work for an employer who refused to pay tribute. At the end of last year, the Triads re-emerged from the shadows of Chinatown, their ranks swollen by young Vietnamese thugs, according to Mr Tsang.

"We know who runs the operation, but I cannot name him yet. He sent his men to see me late last autumn with a demand for payment. I just ignored the threat. I will not be bullied out of money I have worked hard to earn." The threats became more serious in April. The thugs who confronted Mr Tsang identified themselves as "spiders" from the Wo Shing Wo, among the most feared of Triad groups in Hong Kong. The leader of the thugs told Mr Tsang that his boss was "very angry" that no protection had been paid.

"They threaten me and they will find that they have backed an angry dog into a corner," said Mr Tsang, 50. "I have nowhere left to turn, and I will give them all they deserve and more. I have told the police, and have asked MPs to outlaw the Triads, make membership illegal as it is in Hong Kong. Why aren't the authorities taking the Triads as seriously as they should? They are like wild animals. One day they come and eat your toes, the next they take your

leg. The following week they have eaten the whole body." Across Shafesbury Avenue, a successful Chinese businessman, who asked not to be named, told of the danger faced by Mr Tsang and others tempted to follow his defiant example. "Patrick is in trouble now if the police do not act. We all know these people have recruited Vietnamese people to do their dirty work. Those who stand out against the Triads can expect no mercy at all. Their families are at great risk too, both here in London and in Hong Kong," he said.

Tony Man, a Soho financial adviser, has suffered intimidation and extortion attempts by the Triads too. He said that selfishness among restaurateurs, who make up the vast majority of the Chinese business community in London

### ORGANISED CRIME

and Manchester, had enabled the gangsters to thrive. Too many are unwilling to help each other when the gangsters call. Who is going to give evidence? They come to you, demand money and then say, 'You are Chinese, you cannot give evidence against us to foreigners,' he said. "Soon the Triads will be impossible to deal with."

Police working with Chinese businessmen in London and Manchester regard Mr Tsang's stand against the gangsters as a breakthrough. Their efforts to stifle Triad influence have been hampered by the victims' silence. However, such is the fear generated by the gangs that many Chinese would sooner pay tribute — between £200 and £500 a week, depending on the size of the business — than face the inevitably bloody consequences.

### FACTS AND FIGURES

□ There are about 156,000 Chinese in Britain; of whom 56,000 live in Greater London with 4,000 living in Birmingham. Up to 3,000 live in Northern Ireland. There are other concentrations in Manchester and Liverpool, South Wales and central Scotland.

□ More than a quarter of Chinese in work are self-employed. Among ethnic minority communities, they have the highest rate for starting their own businesses. The Chinese have the lowest unemployment rate of ethnic minority groups, with the male unemployment rate similar to the rate for white people.

□ Educational participation rates are highest among the Chinese. More than 80 per cent of Chinese 16 to 24-year-olds are students.

## Sweatshop in a new world

By Bill Frost

**M**ORE than 24,000 Vietnamese refugees have settled in Britain since the communist victory over the US-backed Saigon government in 1975. Some have prospered in business, many more have taken menial jobs and a few have become involved in organised crime. Over the past year or so, police in London and Manchester have reported that young Vietnamese men have either joined Triad societies or established their own gangs to prey on Chinese restaurants and businesses.

But the criminal element among the refugee community is still slight. Most Vietnamese in Britain are law-abiding and industrious, according to the relief and advice agencies dealing with their day-to-day problems.

Britain for three years. "I am still coming to terms with life here and miss Vietnam," he said.

"Many refugees from Vietnam find it hard to settle, but British people have been really nice to me. I have an education and I have prospects. No, I will not be caught in the sweatshop trap."

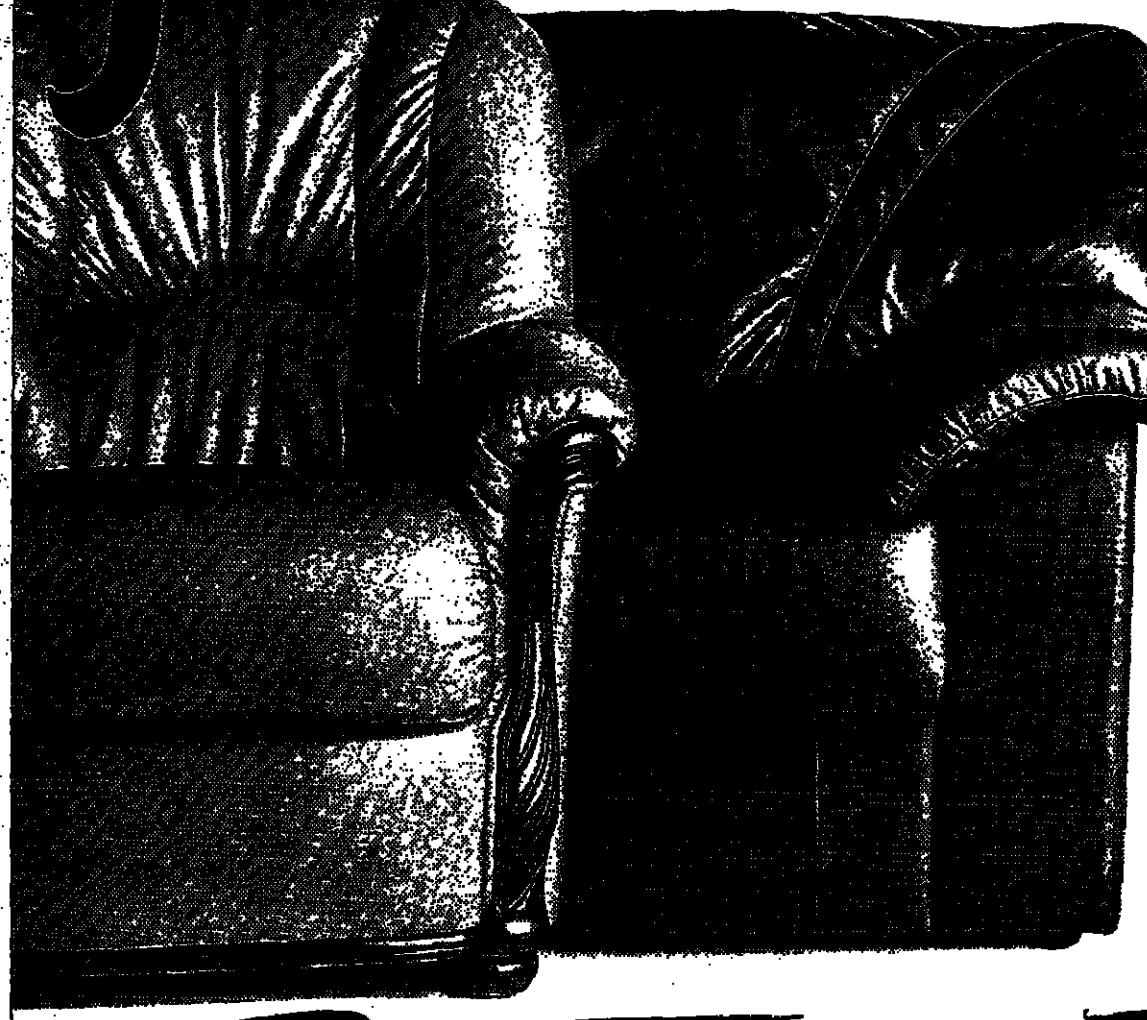
"I have deep gratitude towards Britain. I would like to show it by working for the government."

Acknowledging the success of a few self-made Vietnamese millionaires running clothing firms or restaurants in London, Manchester and Newcastle, upon Tyne, Brother Kieran says these are "the sort of men who make good no matter where they find themselves". He finds greater satisfaction in meeting former refugees who have devoted themselves to helping newcomers.

"THE Ockenden Venture refugee charity in Birmingham is now almost completely run by Vietnamese. They give shelter and comfort to those who have neither," he said.

"Of course, there is a problem with crime. But survival is uppermost in the minds of some of those who came here after the Vietnam war. Having seen so much suffering, having suffered so much themselves, there is little wonder they turn to crime."

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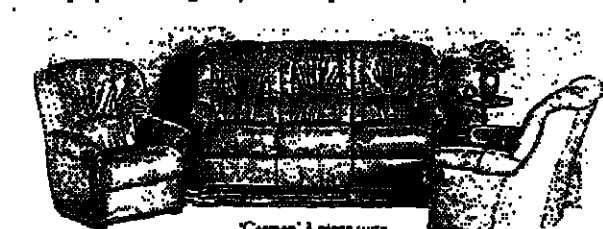
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'The main right workers would get would be the right to remain unemployed'

## Major accuses Tory social chapter rebels of cynical voting

By ARTHUR LEATHLEY

JOHN Major embarked on a head-on confrontation with rebel Tories by accusing those planning to side with Labour in the debate on the social chapter of "cynical and unscrupulous" voting.

In a passionate speech to persuade sceptical backbenchers to reject the chapter, the prime minister aimed a series of assaults directly at the Tory anti-Maastricht camp. He made it clear there was no question that a vote for the social chapter would wreck the Maastricht treaty. The bill to ratify the treaty had been passed and the treaty would be ratified.

Mr Major appealed repeatedly to rebels to reconsider the reasons for joining opposition parties in the division lobby. Some Tory MPs, he said, were planning to vote with Labour

in order to prevent the Maastricht treaty being ratified. "It is an alliance that is based on no conviction whatsoever."

In a tense chamber, the prime minister began his speech in combative mood, emphasising that Britain's only option was to remain inside the EC, continuing to fashion a Community which would help Britain. "It would be absurd to throw away our influence in the Community at this moment. If we sideline ourselves through our own efforts and let other nations determine the future development of the Community, that would be folly of historic proportions for this country and for this House."

Prompting cheers from Tory MPs, Mr Major turned towards the group of Eurosceptics behind him and said:

"I hope those members will reflect again on the cynicism of such a vote and on the damage it would do to this country." He also insisted that he did not consider that a single vote in favour of the social chapter should overrule many previous division results during the passage of the Maastricht bill.

"Rarely in recent history has Parliament shown its will so effectively. Today's debate is an attempt to frustrate that will." Any vote for Labour's amendment would not represent "the true will of the House. It is an alliance of different parties with different interests voting for different purposes."

"If we wilfully throw away our capacity to defend our interests and promote our policies in that [European]

market, I believe this country will pay a dear price for that folly in the years to come."

Mr Major spoke passionately on Britain's influence on EC reforms: "Which way are we

most likely to get them? Standing on the sidelines throwing stones at the Community or inside seeking allies with other countries? If we are to reform the Community, Britain must

have influence in the Community."

After facing a succession of interventions, the prime minister visibly warmed to his task when John Carlisle (C,

Luton N), a frequent rebel over Europe, said he had changed his mind and would be supporting the government. Mr Major grinned broadly as he replied: "I am always delighted to accept a sinner returning home and I am delighted to see him back supporting the government."

After accusing the Liberal Democrats of having a "frankly contemptible" attitude to the social chapter, Mr Major's mood changed drastically during fierce exchanges with Paddy Ashdown, the Liberal Democrat leader. Mr Major said that Mr Ashdown had voiced powerful objections to the social chapter he was now supporting. When Mr Ashdown said that he had expressed views before the Maastricht treaty had been signed, Mr Major attacked him, saying: "wriggle though you do, the quotes I have used support my case and not yours."

Mr Ashdown accused the prime minister of wanting to be inside Europe while remaining outside on social chapter provisions. "I do not understand how the speech you have so far given which is about being included in European institutions can be used to justify an opt-out from

European institutions. If this is a question of the ratification of the treaty, there is no doubt where our vote stands. But this is not. This is a question of whether Britain shall be inside the social chapter element of this treaty or outside," Mr Ashdown said.

Becoming visibly more relaxed as he continued his speech, Mr Major said: "This is becoming more fun than I had imagined." Turning to the effects of the social chapter, he claimed it would mean that many currently employed were likely to become unemployed. "Many without jobs would stay without jobs. The main right that workers would get would be the right to remain unemployed."

Responding to an intervention from Nicholas Winterton (C, Macclesfield), Mr Major said: "I don't envisage that we will be able to move towards a single currency... remotely on the timescale that previously has been set out. And that is increasingly the view of other people."

"There is no prospect of us returning to the ERM in the near future. Conditions are simply not right. I do not envisage that they will be right for some considerable time."

## Lords warned of 'Pandora's box'

RATIFICATION of the Maastricht treaty was not in doubt, Lord Wakeham, Leader of the Lords, assured peers when he opened the upper House's own debate on the social chapter yesterday.

"The issue is quite simple. It is whether the United Kingdom should ratify the Maastricht treaty on the basis it was negotiated or whether, before ratifying, we should commit ourselves to signing the social chapter in due course. The issue of whether we should ratify the treaty is not in doubt."

"British interests would be undermined if we failed now to ratify the treaty," Lord Wakeham said.

"The question at stake is whether we should ratify the treaty negotiated by the prime minister, including the opt-out, or whether we should subsequently seek to re-open negotiations with our partners to exclude the opt-out."

Lord Wakeham said that the social chapter would mean "centralising" measures on union rights and part-time working and there could be a "raft of rules and regulations" on matters that were best left to the government and individual employers and workers.

"We would be obliged to impose these rules, whatever the cost to individual firms," he added. Lord Wakeham said ten of the 12 EC states had ratified and Germany was completing the process. "We should now get on and do likewise, ratifying the treaty as it stands - as the prime minister negotiated it."

About 200 peers, of whom

nearly 40 were expected to speak, were present for the start of the debate, but they did not include leading Tory rebels Baroness Thatcher and her former cabinet minister, Lord Tebbit. The Lords was debating a similar Opposition amendment and government motion to those in the Commons.

Lord Richard, leader of the Labour peers and a former EC commissioner, said: "Parliament is supposed to be sovereign. Any attempt by the government to by-pass the will of parliament on this issue would set a very grave precedent. It would open a Pandora's box, full of constitutional complexities." He said it would "plunge the country into a political and constitutional crisis of the gravest proportions". He said of the social chapter: "We are quibbling about something which the other member states have had no difficulty in accepting."

"The government's short-sighted, capricious and politically motivated campaign against the social chapter is proving costly. We are now isolated within the Community. We are now removed from the European mainstream."

Lord Jenkins of Hillhead, the Liberal Democrat leader and a former president of the European Commission, said: "Far from the Maastricht opt-out being game, set and match for Mr Major, it has been trouble, confusion and delay."

Lord Hailsham of St Marylebone, a former Tory Lord Chancellor, attacked as "unprincipled and dishonest" any tactical voting by Euro-rebels.

## The week in Parliament

Both Houses of Parliament will rise for the summer recess next week. The main business in Parliament is expected to be: House of Commons Today (9.30) Debate on the environment. Monday: Motion for the summer recess and consolidated fund bill when a variety of topics can be debated. Tuesday: Summer adjournment debates.

House of Lords Today (11): National lottery bill, third reading. European parliamentary elections bill, second reading. Monday: Education bill and Agriculture bill, Commons amendments. Tuesday: Finance bill, second reading. Criminal justice bill, Commons amendments. Wednesday: Debate on defence estimates.

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'Once again, decisions will be shaped and policies forged in Britain's absence'

# Smith warns that Parliament's will must not be defied

By ROBERT MORGAN, POLITICAL STAFF

JOHN Smith, the Labour leader, gave a firm warning to the prime minister not to ignore the will of Parliament. Speaking after the prime minister in the debate on the social chapter, Mr Smith said that if John Major "seeks to defy the will of Parliament he will have exceeded the power of his office".

When the House had made a decision it was the "inevitable responsibility" of the government to accept it, he said.

Mr Smith said that the debate was not really about the social chapter. "It is much more about the internal politics of the Conservative party and the increasingly tattered reputation of a discredited prime minister."

Mr Smith accused the government of "persistently misrepresenting the content and the effect of the social chapter provisions". He said: "There has been a deliberate campaign of misrepresentation by the government with new peaks of exaggeration as each day passes."

The chapter amounted to a "modest extension of the competence of the Community" on issues like health and safety at work and employees' working conditions. "I am wholly convinced that adopting the social chapter will improve employment opportunities rather than in any way undermining them."

"The irony of this prime minister posing as a job protector will not be lost on millions of people who are the victims of economic policies for which he has been responsible. This self-styled saviour of jobs and growth has the worst record on jobs and growth of any British prime minister since the war."

He said that what the government failed to appreciate, unlike other EC countries, was that economic success and social progress went hand in hand. Of all the political parties throughout Europe, only the Conservatives and M Le Pen's National Front in France were opposed to the social chapter.

John Hunt, the employment secretary, twice interrupted Mr Smith to quote European business leaders saying that the chapter would cost jobs. But as his intervention went on, longer and longer, Labour MPs tried to shout him down and Betty Boothroyd, the Speaker, was forced to shout for order on several occasions.

Mr Smith said he wondered

why, if employers were right about the damaging effects of the chapter, they had been unable to convince right-wing leaders, such as those of Germany and France. "It passes belief that all these people are engaged in a nefarious plot to destroy their own prosperity. Are they so muddled and so confused, these right-wing conservative leaders, that they have become socialists by accident?"

The prime minister must believe they are all deluded, but the truth is that it is Mr Major who is deluded about the nature and effect of the social chapter which elsewhere finds such widespread favour.

"After all, it requires quite an acute form of delusion to claim a triumph of negotiating skill in getting your country isolated and excluded from a decision-making process of great importance to the Community, and inevitably of importance to this country as well." He claimed that British ministers would "have to leave the room" when social affairs were on the EC's agenda. They would be left

"bereft of influence over legislation which many believe will come to apply in Britain as a result of decisions of the European Court of Justice, whether there is an opt-out or not."

Mr Major wanted the country to believe that, whatever might be the mess at home, he was really an ace negotiator abroad. He was like the comic super-hero, Clark Kent. Mr Smith said to laughter: "As soon as he leaves these shores behind, the prime minister becomes transformed into a diplomatic mega-star."

"What the prime minister and the government simply do not understand is that their opt-out is Britain's lock-out, a lock-out from decisions. Once again, decisions will be shaped and policies forged in Britain's absence." Mr Smith said the evidence showed EC members which had embraced the social chapter had more impressive records of competitiveness and productivity. "What the Conservatives fail to understand is that low wages, inadequate skills and persistent under-investment are the real drag anchors on Britain's economic performance."

To Opposition cheers, Mr Smith said: "We have no future as the sweatshop of Europe." The government's argument was that if competitors paid low wages, Britain

had to follow them down: that if there was no employment protection in competitor countries, it could not be afforded here either. "We in the Labour party believe this approach to be wholly flawed."

Paddy Ashdown, the Liberal Democrat leader, said that his party would support Labour's amendment as the only way of expressing commitment to the social chapter. The chapter was not the new monster of socialism stalking across Europe, as portrayed by the Tories, but "a very antidote statement of broad intent".

Mr Ashdown said that Mr Major was acting more as a whip intent on maintaining party unity than providing the country "with some kind of stable basis for prosperity in the future".



A firm hand: Betty Boothroyd, the Speaker, demanding order yesterday

## Motions for a House divided

The government motion:

That this House, in compliance with the requirements of section 7 of the European Communities (Amendment) Act 1993, notes the policy of Her Majesty's Government on the adoption of the protocol on social policy.

Labour's amendment:

That, in the opinion of this House, Her Majesty's Government should not deposit the Articles of Ratification of the Treaty of European Union with the government of the Italian Republic until such time as it has given notification to the European Community that it intends to adopt the agreement attached to protocol on social policy.

## Victims on the road to Europe

THE road to closer European union is littered with the corpses of ministers (Sheila Gunn writes).

During her 11 years at 10 Downing Street, Margaret Thatcher was consistently at war with Brussels. The key disputes centred on the pace of European integration and the EC budget. Nevertheless she sanctioned the Single European Act, although she now says she was effectively tricked by the Eurocrats, and took Britain into the exchange-rate mechanism.

The division within the party over Europe cost her a succession of cabinet ministers: Nigel Lawson, Nicholas Ridley and Sir Geoffrey Howe. In November 1990 it played a key role in her eviction from office. John Major came in signalling a more conciliatory attitude, but sterling's fall out of the ERM on "Black Wednesday" delivered a killer blow to his Chancellor, Norman Lamont.

### On other pages

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## Christchurch streets safe for citizens

By JONATHAN PRYNN

The sun came out in Christchurch yesterday. But much of the by-election coverage that has dominated this slow-paced town over the past rain-drenched weeks was not there to enjoy it. All attention turned to Westminster in the build-up to the Maastricht showdown.

By lunchtime the town was a virtual MP-free zone for the first time in a fortnight. Fearful Christchurch citizens could safely emerge blinking into the sunshine without being molested by a half-recognised politician asking if they would like to meet the candidates.

Labour bravely fielded two frontbenchers early in the day, Donald Dewar, the shadow social security secretary, and Brian Wilson, a transport spokesman. But they were taking no chances and by 11am an anxious-looking Mr Dewar was back from his walk-about at a Christchurch citizen's advice bureau to pick up the Maastricht express.

The Conservatives, perhaps more wary than Labour of the reliability of a pre-privatised British Rail, took no such risks and left their candidate, Rob Hayward, and his minder, the genial Bournemouth MP John Burtenshaw to their own devices.

Campaign issues were deliberately low key yesterday, with the main parties all aware that few of their

candidates' utterances would rate much space in this morning's post-debate newspaper coverage.

For Diana Maddock, the Liberal Democrat candidate, the big issue of the day was trees. She appealed to the electorate of Christchurch to send a message to the prime minister to rethink his arboreal policy before the constituency's 4,000 acres of public sector forestry are sold off to the highest bidding timberjacks.

Mr Hayward, loyalty sprang to the defence of Mr Major's sapling strategy, claiming that the New Forest was safe in the government's green hands. For Nigel Lickley, the Labour candidate, citizen's advice bureaux were the burning issue of the day.

But there was no escaping Maastricht. At her press conference Mrs Maddock found herself in an embarrassing muddle over the treaty, at one stage arguing that the social chapter would mean a common defence policy for Europe. Many claims have been made about the notorious chapter, but even the most hardened Euro-sceptic would hesitate to go that far.

□ 1992 general election result: R. J. Adley (C) 36,627; Rev D. Basset (LD) 13,612; A Lloyd (Lab) 6,997; J Barratt (NLP) 243; A Wareham (CRA) 173. Con majority 23,015.

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# Yeltsin forced to save discredited Tajikistan bosses

FROM ANNE McELVOY  
IN DUSHANBE

ABDULMALIK Abduljanov, Tajikistan's prime minister, breaks into a heavy sweat as soon as the unwelcome topics of his government's stability and the build-up of rebels on the Afghanistan border are broached.

"Why," he says, striking an injured pose, "why do you ask such difficult questions and pick on our government, which is only trying to help the people?"

He then lapses into rhetoric which is a distinctive blend of Central Asian folklore and the tough talking expected from Tajik leaders, concluding: "If your neighbour comes into your house with an axe, you do not stay to kiss him. You will take up a knife to defend yourself and hope your friends will do the same."

The friends in this scenario are the Russian border guards and 201st Motorised Infantry Division who defend the southern frontier of the Commonwealth of Independent States, its most unquiet border 100 miles to the south of the Tajik capital. Rebels who fled into Afghanistan when they were defeated by the former communist forces of President Rakhmonov have now regrouped, assisted and armed by Mujahidin guerrilla groups. They recently killed 25 Russian soldiers at an isolated border post.

**The Soviet-created amalgam of feuding tribes in Tajikistan is being corroded, and the Russian president has reluctantly taken on the thankless task of trying a rescue**



Moscow has hurried to respond, sending reinforcements and pledging to crack down on cross-border violence, but the fighting shows no sign of abating. Six people died and several were injured on Wednesday night in a shell attack from Afghan territory on a hospital in the Russian garrison town of Pianj.

President Rakhmonov is desperate to keep Moscow's backing in his fight against the pro-Islamic opposition based in the south of the country. There is every sign that his regime, characterised by a disregard for democratic freedoms and by old-style obedience to Russia, would collapse without it.

Morale in pro-government forces is low, living conditions have not improved since he

took power last December, and the rebels, their resolve invigorated by a stay as guests of the Mujahidin over the border in Afghanistan, are keen to seize power. Around Dushanbe, the rebels are creeping back to their old positions and recently reached their former stronghold of Rumid. Their strategy appears to be to wait and catch the government at its most vulnerable time, aided by further assaults from over the Afghan border.

Tajikistan is experiencing the fire of ancient feuds rekindled in the aftermath of communist colonialism. Dushanbe, which has seen three changes of power in just over a year, is a city ill at ease with itself. There are more than 50 murders every month, say the police, many for political reasons, and there is also widespread gangsterism. There is no public transport after 4pm and a curfew begins at 6pm. Dusk announces itself with the random pop of gunfire and those in exposed places nervously skirt bullet-pocked buildings and head for home.

The Bolsheviks formed Tajikistan in 1924 from a collection of warring tribes, mostly



Mother's touch: Baroness Thatcher straightens her daughter Carol's hair as they meet Mikhail Gorbachev yesterday in Moscow, where Lady Thatcher accepted an honorary degree from the Mendeleev Chemical University

Garms, Kulyabis and Pamiris that shared the only non-Turkic language of Central Asia. Moscow's strong hand kept the Muslim religion and culture at bay and the republic despite being the poorest in the former Soviet Union, was vaunted as an example of the triumph of communist rationalism over clan warfare.

It was a solution which lasted no longer than the Soviet Union itself. Nowadays Tajikistan is chronically un-

stable, corrupt and economically blighted and presents an invidious problem for Russia.

President Yeltsin has emphasised that he considers the security of the southernmost flank of the CIS as of the utmost importance to the Kremlin and pledged to defend it. He is under pressure from the influential Afghan war veterans in the military, such as Pavel Grachev, his defence minister, together with conservatives in the se-

curity ministry who push for a strongly scaled border.

The question is by what means? The military would like permission to make raids into Afghan territory in order, they say, to neutralise rebel forces before they can attack Russian positions. But Mr Yeltsin is wary of a second Afghan adventure and there is little public appetite for such a course.

□ Moscow: Under new legislation, Russians are now able

to buy land for the first time since the 1917 revolution. Foreigners will be barred from buying because of the distorted exchange rate of the rouble, but may take out 99-year leases. It is hoped the move will speed up agricultural reform. At present, private farmers make up only 1.5 per cent of the total. That figure may rise to 5 per cent by the end of the year. (AP)

Leading article, page 17

## NEWS IN BRIEF

### Iraqis to accept UN arms monitors

New York: Iraq has agreed to hold talks with the United Nations in New York on starting long-term monitoring of its defence programmes, something it has previously refused to accept, the chief weapons inspector said yesterday (James Bone writes).

In a report to the security council, Rolf Ekeus said the high-level technical talks would begin as soon as possible. UN sources said they would start late next month or in early September and could last six weeks.

Iraq evidently hopes the move will speed the lifting of a crippling UN oil embargo on the country. But the security council, which this week extended sanctions on the country for another 60 days, is likely to demand further Iraqi action before removing the three-year-old embargo.

An earlier Baghdad pledge to comply with the provisions of the monitoring plans listed a series of demands, including the lifting of the oil embargo and an end to the Western no-fly zones over the north and south of the country.

### Gangs clash

Genoa: Italy sent police reinforcements with riot gear to Genoa's port area after two nights of bloody clashes in which Italian gangs attacked North African immigrants, apparently part of long-standing rivalry between drug dealers. (Reuters)

### Talks falter

Hong Kong: Talks between Britain and China on Chris Patten's democratic reform for Hong Kong have broken up with no sign of progress, despite the impetus hoped for from the visit of Douglas Hurd, the foreign secretary, to Peking this month.

### Court rejection

Lagos: The Nigerian Supreme Court rejected a suit by 14 state governors to reverse the military government's annulment of the presidential poll. The regime issued a decree on Monday barring courts from hearing election cases. (Reuters)

### Crater evidence

New York: Scientists claim to have found new chemical evidence that a Mexican crater marks the spot where a meteorite crash doomed the dinosaurs. The crater, near the Yucatan Peninsula town of Chicxulub, was already the leading candidate. (AP)

### China jobs cut

Peking: China plans to lay off about 25 per cent of local government employees, or two million staff, within three years as part of a huge restructuring effort, the China Daily said, ending lifetime employment, especially for state workers. (Reuters)

### Sun shield

Sydney: Scientists in Australia, which has the world's highest rate of skin cancer, claim to have invented a way of treating clothes that gives wearers five to nine times better protection from damaging ultraviolet sunlight than sun lotions. (Reuters)

### Man, '133', dies

Damascus: Hamoudi al-Abullah, a Syrian who fathered his first child after he married aged 80, has died at 133, the official Sana news agency said. If his age were authentic, it would make him the oldest man of modern times. (Reuters)

## Israeli armour prepares to hit Hezbollah bases

FROM RICHARD BEESTON IN JERUSALEM

ISRAELI armoured units were standing by last night to begin a ground offensive into southern Lebanon after Muslim guerrillas defied an ultimatum and launched a big attack against the Israeli-controlled "security zone".

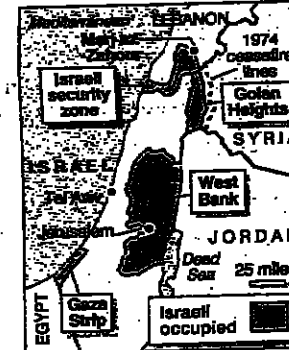
According to witnesses in the area, "a mini-war" is brewing after Shia Muslim fighters of the pro-Iranian Hezbollah group killed an Israeli soldier and wounded another. Two militiamen of the Israeli-backed South Lebanon Army (SLA) were also injured and a third is missing.

Israel regarded the attack as a direct provocation. Over the past few days Yitzhak Rabin, the prime minister, and his army chiefs have issued repeated warnings that any further Hezbollah activity would provoke reprisals.

UN peacekeepers in southern Lebanon said that the fighting began when Hezbollah gunmen attacked two SLA positions at Soujoud and Ghezan in the eastern sector of the zone, while Shia gunmen blasted the area with mortars and fired more than 20 Katyusha rockets at Marjayoun, the regional capital, and the nearby SLA stronghold at Khiam.

When a joint Israeli-SLA unit attempted to recapture the lost position at Ghezan, it was hit by a roadside bomb. One Israeli soldier was killed. Hezbollah also reportedly fired a Sam 7 missile at an Israeli helicopter gunship providing air cover.

In Jerusalem there was little doubt that the latest flare-up would result in a serious escalation in the fighting. Mr Rabin delivered the most explicit ultimatum after Sunday's cabinet meeting



when he confirmed that Israeli reinforcements had been sent to the area and that the troops had orders to "act against those who attack the security zone".

The Israeli leader's warning was reinforced on Tuesday by Lieutenant General Ehud Barak, the Israeli chief of staff, who predicted that a "broad operation" against Hezbollah bases beyond the security zone was probably inevitable, given the rise in attacks in the area.

Although it is unlikely that Israel will take on Hezbollah strongholds in southern Beirut and the Syrian-controlled Bekaa valley, the army is under considerable public pressure to make a dramatic show of force. The fighting has also prompted calls from the right-wing opposition to increase the size of the nine-mile-wide security zone.

□ Marjayoun: Nearly 90 ailing Palestinians in south Lebanon began a march to Israeli lines yesterday to demand that Israel provide them with adequate medical treatment. The men are among 395 exiles banished by Israel last December for alleged links to hostile Islamic groups. (Reuters)

## Italian police seize four Mafia rocket-launchers

FROM JOHN PHILLIPS  
IN ROME

ITALIAN police were reported yesterday to have seized, at a roadblock near Naples, four shoulder-mounted rocket-launchers they fear the Mafia had acquired to carry out a large-scale attack to avenge a series of reverses at the hands of the authorities.

In another significant victory against organised crime, Palermo police yesterday arrested Salvatore Cangemi, a suspected Mafia boss believed to be in the running to succeed the "boss of bosses", Salvatore "Totò" Riina, who was captured in January. Signor Cangemi was sought in connection with several murders and was believed to have taken over the vacant seat in the Cupola (domo) or Mafia ruling commission caused by the arrest of Pippo Calò, who for many years was the main Mafia boss representing the mob in Rome. Signor Cangemi's arrest followed that in May of Benedetto "Nitto" Santapapa, widely regarded as the right-hand man to Signor Riina and the head of the Mafia operation in Catania and eastern

Sicily. Signor Cangemi's arrest coincided with solemn ceremonies at the start of the week to mark the anniversary of the killing of the anti-Mafia judge, Paolo Borsellino, and his five police bodyguards.

Public euphoria was diminished by the reports that police at Scafati, in Salerno province on the outskirts of Naples, had confiscated four shoulder-mounted rocket-launchers in three cars stopped at a carabinieri roadblock on Wednesday night. A fourth car crashed the roadblock and escaped. One driver was arrested while the other two escaped by foot.

Alfredo Greco, the investigating magistrate, is trying to determine whether the Mafia was organising a spectacular attack, according to the Italian news agency AGI. The area where the cars were stopped is well-known territory of the Camorra, the Neapolitan version of the Mafia with close links to its Sicilian counterpart. The discovery of the missiles and other weapons follows reports that the Mafia has been seeking heavier weaponry in the international black market, involving the former Yugoslav

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# Bosnia takes call to peace as cue for fiercer fighting

FROM MISHA GLENNY  
IN SARAJEVO

AS SOON as Lord Owen announced on Wednesday that military activity in Bosnia-Herzegovina would be "toned down" in honour of the proposed negotiations in Geneva, Sarajevo braced itself for an upsurge in the fighting. Yesterday morning it happened like clockwork.

On this occasion, however, it appears that the Bosnian army started the fighting, launching a curious artillery offensive against Serb positions round the village of Rajlovac, just north of the crucial Bosnian stronghold, Mount Igman, which holds the key to Sarajevo's survival.

Many of the exchanges now taking place around Sarajevo are part of a complex political game in the run-up to the Geneva negotiations. By mid-afternoon the little game and counter-game were making life hell for several parts of central Sarajevo.

A senior official at the Bosnian foreign ministry said: "The attack on Igman by the Serbs is meant to put pressure on President Izetbegovic. Similarly, today's Bosnian offensive is a reply indicating that we do not necessarily have to lie down and take it."



Field of fire: houses blaze in the village of Ljuta on Mount Igman, key to the defence of Sarajevo, during heavy fighting yesterday between Serb and Muslim forces

The Bosnian president is dithering. For a week, he has been trying to decide whether or not to go to Geneva. His presidency and government are deeply split about the deal, essentially dictated by the Serbs, which would confirm the division of Bosnia. Earlier this week Mr Izetbegovic re-

vealed that Bosnians may have to prepare themselves for such an eventuality. The president's remarks were immediately denounced by Ejup Ganic, the hardline vice-president, who insists that the government should fight on until all Bosnian territory is retaken. Around

the suburbs of Sarajevo, Mr Ganic appears to have the support of many Bosnian army fighters. "We are fighting for a single Bosnia-Herzegovina, and nothing less," Emir, 20, said just 100 yards from the front line in Dobrinja. "If Izetbegovic or anyone else

signs an agreement allowing the division, nobody here will pay any attention to it." The loyalty of the army in the event of a Geneva signature is the question uppermost in people's minds in Sarajevo. Rasim Delic, the chief of the Bosnian army, insists that his men will remain true to any

decision made by his president. But there is another reason why Mr Izetbegovic is tempted not to sign. While the Bosnian army may be unable to take territory from the Bosnian Serbs, they have been enjoying considerable success in their offensive against the

Bosnian Croats in central Bosnia and around the Mostar region. Barry Frewer, the spokesman of the United Nations peacekeeping force in Sarajevo, noted yesterday that the Bosnian army refused to stop fighting around the Croat-held town of Bugojno because they believed "they

may take it within the next 48 hours". One consequence of the contest for territory between Muslims and Croats in western and central Bosnia has been the most appalling battle in and around Herzegovina's capital, Mostar. Earlier this week, the Croats launched a ferocious counter-attack. The human tragedy in Mostar is unimaginable. An estimated 30,000 to 35,000 Muslims have been cut off from any aid since the beginning of June. The three-cornered fight in Bosnia means that a variety of outcomes to any negotiations is possible. The Serbs are in a position to choose between an alliance with the Croats or the Muslims. The Croats are in a particularly weak political position at the moment because of the European Community's threat to impose sanctions on them. Indeed, inside Bosnia's corridors of impotence there is even talk of a secret deal being hatched between Mr Izetbegovic and President Milosevic of Serbia. Until Mr Izetbegovic arrives in Geneva, any deal that may lead to peace is entirely theoretical. The only thing that remains certain about the war in Bosnia is that the civilian population still has to wade through a quagmire of suffering.

## Stoltenberg and Owen delay start of Geneva talks

BY TIM JUDAH IN BELGRADE AND OUR FOREIGN STAFF

THE international mediators on Bosnia, Thorvald Stoltenberg and Lord Owen, last night postponed peace talks due to have started today in Geneva until Sunday, saying they hoped the meeting would lead to a settlement of the conflict.

They said the parties due to attend, who included President Izetbegovic of Bosnia, had agreed to the new date. Earlier, his vice-president, Ejup Ganic, had said that his government would boycott the start of the renewed talks after rebel Serbs bombarded Sarajevo, killing at least seven people and wounding 38. He said there was no point in joining the talks if Serbs continued offensives against Muslims. Lord Owen and Mr Stoltenberg say the latest round of talks is to continue until a final deal over Bosnia is struck.

Croatian troops were streaming into Bosnia yesterday to reinforce local Croat forces, according to United Nations observers. Commander Barry Frewer, the UN spokesman, said that there had been "heavy movements" of Croatian troops in the area around Mostar, where Croat forces are locked in mortal combat with the mainly Muslim Bosnian army.

Local Croat forces, known as the HVO, suffered another defeat by the Bosnian army, which was reported to have seized control of Bugojno and, according to an HVO spokesman, "Muslims have taken control of the downtown area and are expelling all the Croats living there." Croatian forces were reportedly reported to have rounded up some 10,000 Muslim men from the Mostar area. The Croatian move was a humiliation for Douglas Hurd, the foreign secretary, and his European Community counterparts, who are calling for sanctions to be applied on Croatia.

After an EC foreign ministers' meeting on Monday, Mr Hurd said that a warning would be given to the Croats "in the most authoritative possible way". Willy Claes, the Belgian foreign minister, delivered the warning and a Community official said that "the gun has been cocked but not yet fired". A Belgrade commentator, injured to empty Western threats, noted that if the gun were truly cocked it was only loaded with blanks. □ Sarajevo: French workers of the Solidarite aid agency said one of their number had been captured by a renegade Bosnian army commander on Mount Igman. (AFP)



Face value: the 50-million-dinar note, worth £2.50

## Serb funny money floats into freefall

BY TIM JUDAH

SERBIA has tumbled into a financial Never Never Land. "I would like to inform you that our economy has collapsed," Professor Ljubomir Madzar told leading economists last week. Shops are bare, inflation is believed to be 10 or 20 per cent a day, but nobody is sure; year on year it could be 10 billion per cent.

In an attempt to regain control of the collapsing economy, the Yugoslav government yesterday devalued the dinar by more than 82 per cent, aligning it with the black-market rate. The dinar has been officially devalued eight times since April, and the official and street rates usually match for no more than a day or two.

Such is the confusion that shops are closing because they do not want to sell, others are ignoring government attempts to control prices, and fortunes are being made by speculators. "Either this chaos must be brought under control or we may have a state of emergency in a few weeks," one economist said. Hyperinflation has stalked the Serbian economy for at least a year, but it is now

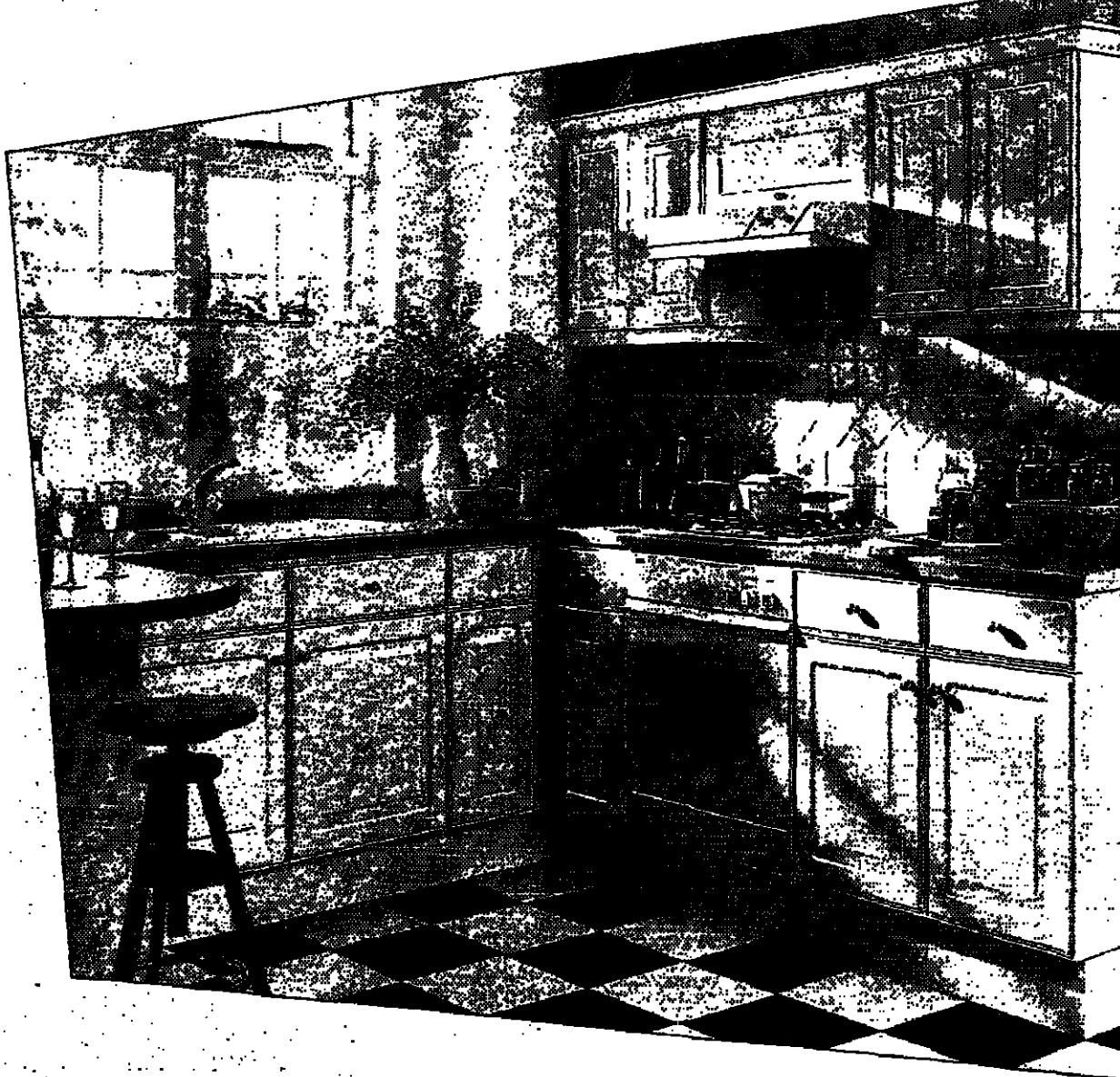
provoked the latest dizzying round of inflation. Under a total, if leaky, economic blockade, the survival of the government rests on feeding its people.

It has been a bumper harvest, but an attempt to wrest grain from disgruntled farmers has ended in catastrophe. Untold thousands of billions of dinars were printed to buy the harvest, but instead of reaching the farmers the cash flooded on to the streets as the banks used it to buy up hard currency.

Angry farmers have blocked roads in protest. They are refusing to hand over their grain and are particularly bitter about "phantom money". While their bank statements show they have been paid, the banks have no cash for them. By the time they do, it will be worth a fraction of what it was originally.

As ever more fresh and worthless dinars pour off the printing presses, the value of the currency has gone into freefall. Three weeks ago the one-million-dinar note was introduced. On Monday, the 50-million-dinar note will go into circulation. It is worth

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# Miyazawa's resignation triggers attack on faltering party elders

By JOANNA PITMAN  
IN TOKYO AND  
OUR FOREIGN STAFF

**■ The decision by Mr Miyazawa to go reopened all the Liberal Democrats' self-inflicted wounds. It also rekindled the thirst of the Young Turks for power**

THE Liberal Democratic Party was in turmoil last night as Kiichi Miyazawa, the prime minister, announced his resignation to take responsibility for the party's failure to defend its parliamentary majority, and the party's younger generation let loose a volley of public criticism of the old men in power.

At a stormy LDP convention at party headquarters, Mr Miyazawa announced his resignation as party president and prime minister as soon as a replacement is elected. The traditional election procedures involve intra-factional bargaining within a cartel of elderly power-brokers, often over lavish dinners in discreet restaurants or on exclusive golf courses.

This is the nub of the younger (fifty-something) generation's complaints which exploded into the public arena yesterday. "I regard Mr Miyazawa as a class C war criminal, and I demand that class A and class B war criminals also take responsibility," shouted Seiichi Ota, leader of the "association for the creation of a new LDP", a group of 50-year-olds intent on ridding the party of its scandal-tainted gerontocracy.

"The public detests the look and the smell of the LDP. I am deeply ashamed," said another, who told the assembly of balding heads sitting at the leadership committee table that he had turned down Mr Miyazawa's offer to make speeches in his constituency before last Sunday's election. After Mr Miyazawa announced his decision to quit, Seiichi Kajiyama, the LDP secretary-general, proposed that an ad hoc committee of party elders select Mr Miyazawa's successor. This brought forth a hail of recrimination.

"If we allow this to happen, we are back into the murky politics of faction chiefs," Shokei Arai, one MP, told the

story-faced party bosses lined up on the platform. "What are you talking about at a time like this?"

It is almost unprecedented for the convention, normally a staid rubber-stamp body, to hear such bitter remarks. All but two of the 47 impromptu speakers assailed Mr Kajiyama's proposal, and the hardliners finally gave in.

"Because most of you are opposed to the formation of the Committee for Advancement and Party Unity, we will withdraw the proposal," a sombre Mr Kajiyama said after the stormy session.

The battle for leadership of the party is complicated not only by the deepening resentments of the younger generation but also by the residual rivalries between faction bosses and by the trial for tax evasion of Shin Kanemaru, the former "kingmaker" of the party.

The trial, which began yesterday, could exhumate new scandals and sully the chances of several high-ranking contenders.

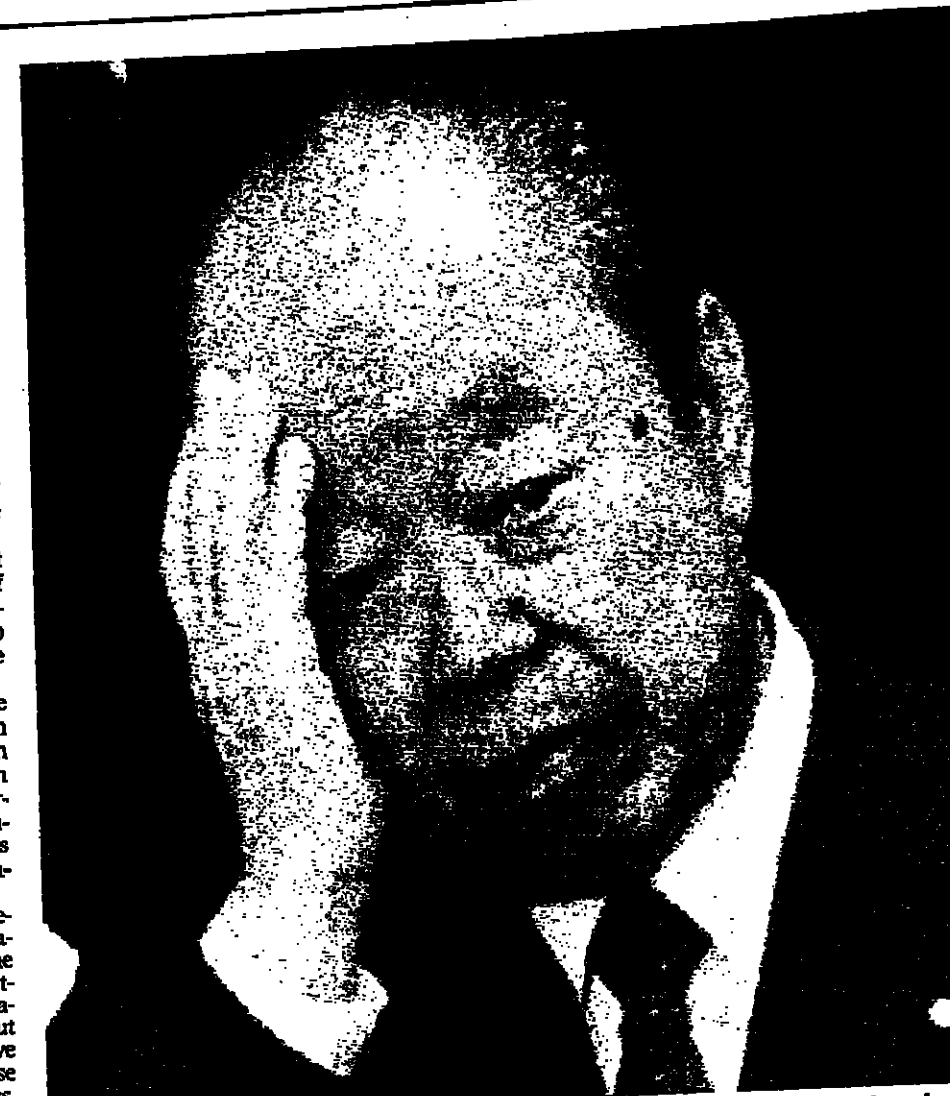
Party bosses tried to contain the damage wreaked by the party's embarrassing public disunity. Yohei Kono, the chief cabinet secretary, repeated his mentors' favourite slogan of the last few months: "Political reform is urgently needed to remove public distrust in the political world. With the series of revelations of problems concerning the links between politics and money, I think the ill feelings of the public grow stronger and stronger."

Mr Miyazawa, 73, has presided over more political and financial scandals during his 20-month tenure than any prime minister before him. Revelations of construction industry bribes and political and financial links with gangsters flowed from the public prosecutors' offices. The beginning of the end came last August when Mr Kanemaru, who was reputedly responsible for elevating Mr Miyazawa to prime minister, resigned from the party and was later arrested on tax evasion charges.

Although he was implicated in the Recruit scandal and forced to resign as finance minister in 1988 after his Diet testimony was revealed to be false, Mr Miyazawa remained largely aloof from the LDP's dirty factional politics as prime minister.

This sparked a resentment among his LDP colleagues of his elitist and arrogant bearing, and made his leadership noticeably ineffective, to the disappointment of many. As an official member of the Japanese delegation at the San Francisco peace conference in 1951, Mr Miyazawa has an acute memory of Japan's wartime past and has been cautious in committing his country to a greater international political role.

He steered the UN peace-keeping co-operation legislation through the Diet in June 1992, allowing the first post-war overseas dispatch of Japanese troops to Cambodia. But as the world's demands have grown for greater Japanese participation in world affairs, he has struggled to articulate an international vision for his country.



Down and out Kiichi Miyazawa at an MPs' meeting in Tokyo yesterday where he announced his resignation as prime minister after the Liberal Democrats' poll failure

## Public draw lots to see political godfather's trial

By JOANNA PITMAN

SHIN Kanemaru, the fallen "godfather" and former vice-president of Japan's Liberal Democratic Party, pleaded not guilty yesterday to charges of evading more than one billion yen (£6 million) in income taxes, claiming that the 1.85 billion yen income he received between 1987 and 1989 was to be used to finance political reform.

The powerbroking patriarch of Japanese politics, who had installed and dismissed a string of prime ministers until he was forced to resign last autumn after a separate bribery scandal, appeared at the Tokyo district court in a wheelchair for the first day of a trial that could last for months. LDP and opposition party members will fear new revelations concerning their own links with secret political contributions.

The public has been tantalised by the downfall of the party's disgraced "godfather". Nine hundred people queued for hours outside the court early yesterday morning to take part in a lottery for the 55 seats available in the public gallery.

Party leaders feared that the sight in the dock of Mr Kanemaru, 78, whose name has become synonymous with corruption in the minds of most Japanese, would adversely affect the electorate's views of the party.

But they need not have worried. The Japanese have had years to get used to seeing the old men of politics awash with sordid allegations of corruption, and bearing stories of cash-stuffed envelopes changing hands in discreet Tokyo restaurants. But even the most hardened cynics were a little surprised to hear of the haul that Mr Kanemaru had allegedly stashed away in secret safes in his Tokyo home and offices.

Several hundredweight of gold bars, and something

between \$30 million (£19.7 million) and \$60 million in cash and anonymous bearer bonds were taken from his home. A few months earlier, the public had been treated to the details of how an ambitious trucking company executive had personally delivered to Mr Kanemaru's office carrier bags bursting with 10,000-yen notes (\$4 million in all) piled high in a supermarket trolley, as part of a pay-off.

The evidence of Mr Kanemaru's legendary skills as a backroom fixer has triggered other investigations which have put two LDP-sponsored mayors on trial charged with receiving pay-offs from the construction industry. Revelations of Mr Kanemaru's misdemeanours have also reinvigorated efforts to introduce political reform. The public watches as the dirt continues to ooze out of the political underworld, but wonders why Mr Kanemaru, if found guilty, will face the somewhat risible maximum penalty of five million yen (£30,000).



Kanemaru: wheelchair court arrival yesterday

## China finds cache of warrior women

FROM REUTER IN PEKING

FIFTY recently discovered 2,000-year-old terracotta statues of women warriors have been described by Chinese archaeologists as second only in importance to the 6,000 Qin dynasty terracotta soldiers and horses unearthed near the ancient capital Xian in earlier this century.

According to the Xinhua news agency, the latest statues were "the first such figures ever found in China". They were found in Shaanxi province near an imperial tomb dating from the Western Han dynasty (206 BC to AD 24). The women warriors are wearing wooden armour and are holding swords.

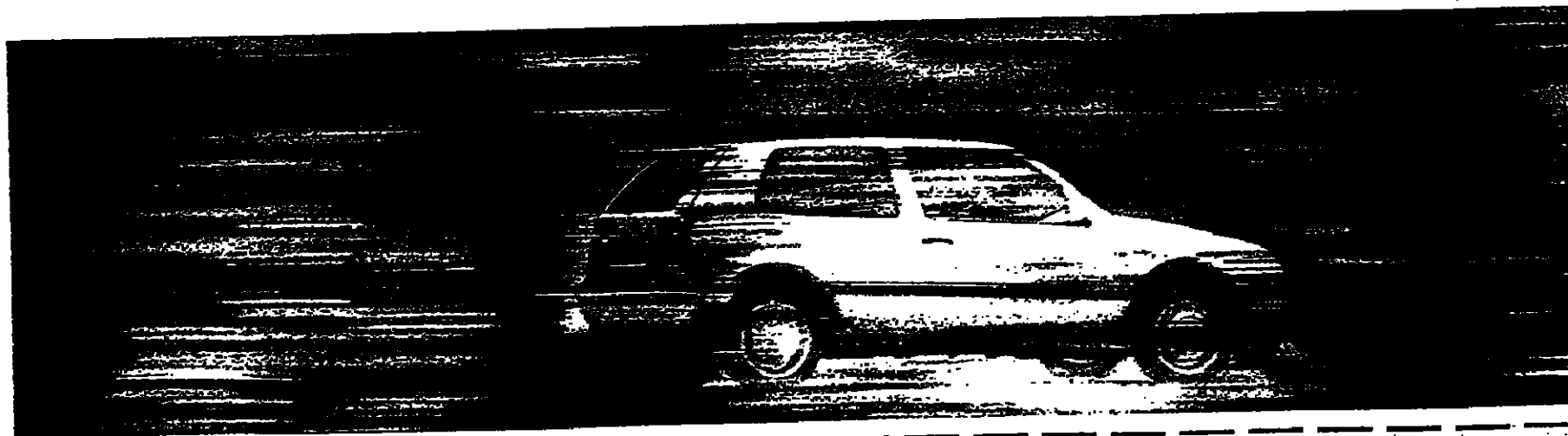
Each figure displayed a heroic spirit, but was also delicately pretty, the agency reported. It gave no further details of the statues, found on a huge site still being excavated. The painted but unglazed clay figures were discovered in 1990 together

with thousands of funerary artifacts. There was no indication of why the announcement of the discovery was delayed.

Another revelation, Xinhua said, was the discovery in the tombs of peanuts. This put the advent of the nuts into China 1,600 years earlier than had been thought. "Previously people thought that peanuts were introduced into China from South-east Asia towards the end of the Song dynasty (AD 960 to 1279)," the agency said.

□ St Augustine, Florida: A dig at a site where Pedro Menéndez de Avilés and a band of Spanish settlers supposedly landed in Florida more than 400 years ago has turned up signs of a 16th-century settlement. "It's pretty clear that from 1565 to 1600 there was something here," said Jim Cusick, site supervisor for a team of University of Florida researchers. (AP)

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# Suicide of Clinton's friend deepens White House gloom

FROM MARTIN FLETCHER  
IN WASHINGTON

SIX months after the euphoria and optimism of President Clinton's inauguration, and with his administration having seemingly reached its lowest point, White House morale has collapsed yet further after the suicide on Tuesday night of Vincent Foster, the president's childhood friend and deputy counsel.

Mr Foster's death would have hit Mr Clinton harder than any of the numerous other blows he has suffered since assuming the Oval Office. After visiting Mr Foster's family, the president sat up until 2am on Wednesday morning searching for an explanation.

But for one brief eulogy to Mr Foster, at which he looked ashen-faced, Mr Clinton cancelled all his public appearances that day. At an emotional meeting with a devastated and fearful White House staff, the president recalled how he and Mr Foster had played as children in their adjoining gardens in Hope, Arkansas: "I just kept thinking in my mind of when we were so young, sitting on the ground in the backyard, throwing knives into the ground and seeing if we were adroit enough to make them stick."

This was the first suicide by a senior government figure since James Forrestal, the defence secretary, jumped from the 16th floor of a hospital in 1949 while being treated for mental illness. Mr

**Morale has plummeted since Vincent Foster shot himself. Staff have been told by the president to work less and spend more time with their families**

Foster left no message, and FBI investigators were yesterday scouring his office for clues, but there seemed little doubt that he was driven to kill himself by the extraordinary pressures of life at the pinnacle of power.

Like so many others caught up in the workaholic culture of the Clinton White House, Mr Foster regularly worked 12-hour days and six-day weeks that kept him from his wife and three children of college age. He had lost 12lb in weight. Joe Purvis, a Little Rock lawyer, had written in a newspaper interview in April that his friend was "working himself to death".

Ronald Reagan brought experienced operatives from California to assist him. George Bush's men had mostly served in the Reagan White House. But like so many other Clinton appointees, nothing in Mr Foster's small-town Arkansas upbringing had prepared him for life in America's pitiless capital.

For the first time in his life, he had been exposed to searching public scrutiny and criticism. Mr Foster had been involved in the disastrous dismissal and subsequent reinstatement of the White House travel staff. His office had been held responsible for President Clinton's disastrous nominations of Zoe Baird and Lani Guinier.

The *Wall Street Journal* had attacked him as one of a cabal of "legal cronies" from Little Rock operating at the heart of the administration, and *The Washington Times* was reported to be preparing a hostile story on him.

"He took everything to heart, too much to heart," a friend told *The Washington Post*. "He felt responsible for things he should not have felt responsible for. He felt these burdens and could not seem to shake them off the way others do."

Mr Foster, 48, was first in his law school class, first in his Arkansas bar exam, and was a partner in Hillary Clinton's

Little Rock law firm in just two years. Going to Washington should have been the peak of a distinguished career, but it evidently became a nightmare. At noon on Tuesday he saw his immediate boss, Bernard Nussbaum, who talked of Yuth Ginsburg's Supreme Court nomination and Louis Freeh's appointment as FBI director, and joked: "We hit two home runs." He returned to eat a sandwich at his desk. At 1pm, he left the White House.

Some time before 6pm he drove to a Virginia park overlooking the Potomac, walked a few hundred feet to a bluff and shot himself once through the mouth.

His suicide has evidently caused a profound reassessment of priorities at the White House. President Clinton has urged his staff to spend more time with friends and family and "to remember that work can never be the only thing in life". One aide commented: "It makes it hard to care about anything when something as horrible as this happens."

## Attack by former Sandinistas repelled

BY DAVID ADAMS

NICARAGUAN troops repelled an attack by former Sandinista soldiers on the northern city of Esteli yesterday after fighting left at least two people dead and 45 wounded in the worst outbreak of violence since the war with the Contras ended three years ago.

A group of 150 former soldiers surrounded Esteli, Nicaragua's fourth largest city with 90,000 inhabitants, and commandeered buses and trucks to loot three banks and a supermarket. Two police stations were attacked in the town and the police chief was briefly taken hostage, local radio reported.

Smaller attacks were also reported in three other northern towns, all apparently the work of former soldiers disgruntled by the failure of the government of President Chamorro to live up to promises of jobs and land after their demobilisation from the army at the end of the war.

The attacks could not come at a worse time for Señora Chamorro, already under fire from all sides over her government's austere economic policies which, while popular with international bankers, have left thousands unemployed and impoverished.

On Monday, at a large Sandinista rally to mark the anniversary of the 1979 Nicaraguan revolution, Daniel Ortega, the former president, said that Señora Chamorro would be unable to complete her term of office, due to expire in 1996, if she failed to



Seeking the target: government soldiers fire at rebels in the northern Nicaraguan town of Esteli yesterday

increase spending on job creation, health and education.

The Chamorro government is also battling 1,400 Contras, formerly backed by America, who were demobilised in 1990 but have since taken up arms again in the remote northern hills, demanding jobs and agricultural land. They say that they will not disarm until

Señora Chamorro breaks a pact of national reconciliation with the Sandinistas who, despite losing the 1990 election, have retained control of the army and police.

To make matters worse, Señora Chamorro is facing increased pressure from Washington where Congress is considering cutting off all

financial aid pending an investigation into alleged ties between the Sandinistas and international terrorist organisations. Washington has suspended at least until October the disbursement of \$211 million (£139 million) in aid to Nicaragua for 1993. American concern was heightened by the discovery

that five Nicaraguan passports were used by Muslim radicals in the February bombing of the World Trade Centre in New York. Then in May an arsenal of weapons belonging to a guerrilla group in El Salvador with close links to the Sandinistas was found in Managua, the capital of Nicaragua.



Baird: nomination was linked to Foster office

## Heron rules the roost in deluged Main Street USA

FROM BEN MACINTYRE IN WEST QUINCY, ILLINOIS

West Quincy once boasted several fast-food restaurants, petrol stations, an ice-cream parlour and a drive-in cinema, typical of modern Main Street USA. Today it is under 20 feet of water, the only sound the slap and rustle of the current.

A bright yellow McDonalds sign remains the town's main landmark, rising a few feet above the fast-flowing Mississippi. The roofs of a few of the taller houses and the tops of a line of telegraph poles show where the street runs.

West Quincy, at the foot of the Bayview bridge on the Missouri bank of the Mississippi, sank beneath the flood at exactly nine o'clock last Friday evening when an earth levee disintegrated just north of the town.

Art Bentley, a local mining engineer, was crossing the bridge from the Illinois side when he saw the water surging through the break. Using his carphone he called his wife, who was working in West Quincy at the Mississippi Grill, and told her to leave immediately. Mrs Bentley and the rest of the approximately 500 townsfolk found whatever transport they could and fled to Taylor, Missouri, the next town.

Some were not fast enough. Two cars were caught in an underpass and their occupants had to be rescued by the Coast Guard and police. A farmer with a trailer-load of fresh hams saw the river coming and headed in the opposite direction - down a dead-end track. Realising he was trapped, he unhitched the trailer and took off in his tractor towards higher ground.

Thousands of vehicles once daily crossed the river at West Quincy, now a single Coast Guard powerboat patrols the lookout for looters. But it would take a most determined looter to steal anything. The muddy, swollen river gives little clue to what lies

beneath: only a faint eddy indicates where whole buildings stand. Around the swamped town, the water stretches in every direction over 14,000 acres, broken here and there by tree-tops, but mostly as flat and featureless as the cornfields it has engulfed.

There is something almost intrusive about exploring a deserted, partly destroyed town, like eavesdropping on a funeral. The upper third of West Quincy, in the middle of a new lake six miles wide, makes an incongruous sight with only a few man-made objects protruding above the water. Electrical and telephone lines trail across the water in knotted confusion where the water has ripped them down. A heron has taken up residence on the roof of the post office.

The smell of petrol hangs unpleasantly over the water, thanks to the 18,000 gallons that have leaked from the Amoco service station. On the night the levee ruptured, a grain barge broke loose upstream and smashed into the town's causing an explosion which could be seen from 20 miles away. The mangled metal and charred roof of the station are the first things you see as you float into West Quincy.

Most of the inhabitants of the town are in temporary accommodation in Taylor or Quincy, the town's larger and more secure sister on the Illinois side. According to weather forecasters, the worst of the deluge may be over, but the water is likely to remain near its present level for several more weeks: by the time it does go down, there may be little of West Quincy left to salvage. "If I lived in this town, don't reckon I'd be coming back," says the Coast Guard helmsman.

The heron on the roof of the post office eyes us beatifully for a moment, then flaps away.

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## How shall we divide up the children?

THE SOLICITOR'S voice changed when I mentioned custody, and took on a positively episcopal timbre. "The notion of custody," said she, "is jurisprudentially dead." Not in the sense of being detained by the police after allegedly committing a crime, of course, but in the sense of "the act of keeping safe or guarding, especially the right of guardianship of a minor", as Collins dictionary has it and, in the OED sense, of "safe-keeping, protection, defence, charge, care, guardianship".

The Children Act banished the concept of custody chiefly, she maintains, because it carried connotations of ownership of the child or children concerned. Buried alongside custody are the concepts of care and control, and the Guardianship of Minors Act.

We were discussing what you and I and the newspapers still call the custody implications of the coma baby case. The mother, who was knocked over by a car when, unknown to her, she was eight weeks pregnant, has been in a coma ever since. She is therefore incapable, at present, of discharging her parental responsibility towards the baby, of which she was recently delivered. Her mother and the baby's father are disputing this thing that we cannot call custody.

Most of us are half-aware that the Children Act got rid of the idea of custody, but I am pretty sure there is no general understanding of the concepts that have taken its place. Strictly speaking, "residence" is the concept that has replaced custody. A residence order that is made in place of the old custody order. Some lawyers regard this as a simple matter of re-labelling, but surely different labels on jars denote different contents. "Residence" is devoid of any connotation of guarding, protecting, keeping safe, or taking care. It is deliberately neutral, even absurdly so in the case of a new-born baby. You don't ask a new-born baby's place of residence, you ask who looks after it; ownership is not implied, but responsibility and authority certainly are.

This is of course where the new legal concept of parental responsibility comes in. Married parents each have it, and neither one can shift it or escape it until the child is 18, regardless of what they do and where they roam after divorcing. In the case of unmarried couples, such as the one we were discussing, the comatose mother automatically acquired this responsibility with the birth of her baby, but the young father had to apply to the court to be given it.

A difficulty for many divorcing couples now is that neither they nor their advisers have come up with a clear idea of what "parental responsibility" denotes. It may sound silly to make this objection, since such people are already parents and presumably managed perfectly well to discharge their responsibility, without having a piece of paper defining it, before they decided to split up.

The new law assumes they will go on

managing when they are apart, and most significantly it also assumes that only in exceptional cases will the courts be required to intervene. But family law specialists say it comes as a surprise, and often an alarming one, to their clients to find that once they have agreed on the terms for their divorce and the arrangements for their children, they receive no piece of paper with a comforting judicial imprimatur setting out their respective responsibilities, no declaration to sign. The clients are simply expected to repair to their respective homes and get on with it.

It is not always straightforward for them or for those who, like headmistresses, have delegated responsibility for the children. Schools sometimes express nostalgia for the certainties of the custody order when, for example, a father breezes in, without notice, to take a child out of school for the afternoon, airily citing his joint parental responsibility.

One can only applaud the move away from a confrontational approach to divorce that has accompanied the new Act. Divorcing couples used to have to employ, at great expense, separate solicitors retained in the adversarial tradition whose chief aim, it appeared, was to turn an antagonistic couple into sworn enemies for life. The solicitors would each pile on the iniquities of the "other side" in pursuit of the best settlement for their clients, until the parties could be seen only as a cad and a hell-cat, hardly a great team to carry joint responsibility for their off-spring.

All power, therefore, to Sara Robinson (the solicitor who came over episcopal at the mention of custody) and her 3,200 colleagues in membership of the Solicitors Family Law Society, whose code of conduct is admirably anti-adversarial and wise. All power, too, to the Family Mediators' Association, whose membership is growing as fast as that of the SFLA. The FMA, at its Bristol headquarters, offers a list of solicitors and professionals in the area of family conciliation who will act in teams of two to provide a speedy, unheated and down-to-earth service to couples who would rather part in a civilised fashion. (The mediation process also has the advantage of being, almost always, incomparably cheaper: it is generally completed in three sessions at £180 a session, and senior solicitors can cost £180 an hour.)

ALL THIS IS admirable, but couples who divorce in this way without asking a judge to issue specific orders do seem to be uneasy without a piece of paper of some sort. It might be helpful to ask them to sign a declaration stating in broad terms what their parental responsibility comprises, and how it shall be shared. This would be no more binding than the marriage vow, of course, but at least such a declaration of intent would give them and their children something to fall back on in times of disagreement.



MARGOT NORMAN

### Julia Llewellyn Smith meets the young people transforming a notorious estate

When Fay Curtis was growing up on Broadwater Farm she was scared to walk down the corridor outside her front door. "These boys used to be hanging out there, smoking, drinking, really loud and intimidating," she says. "I would go the long way round to avoid them. The atmosphere was electric, people waiting for trouble."

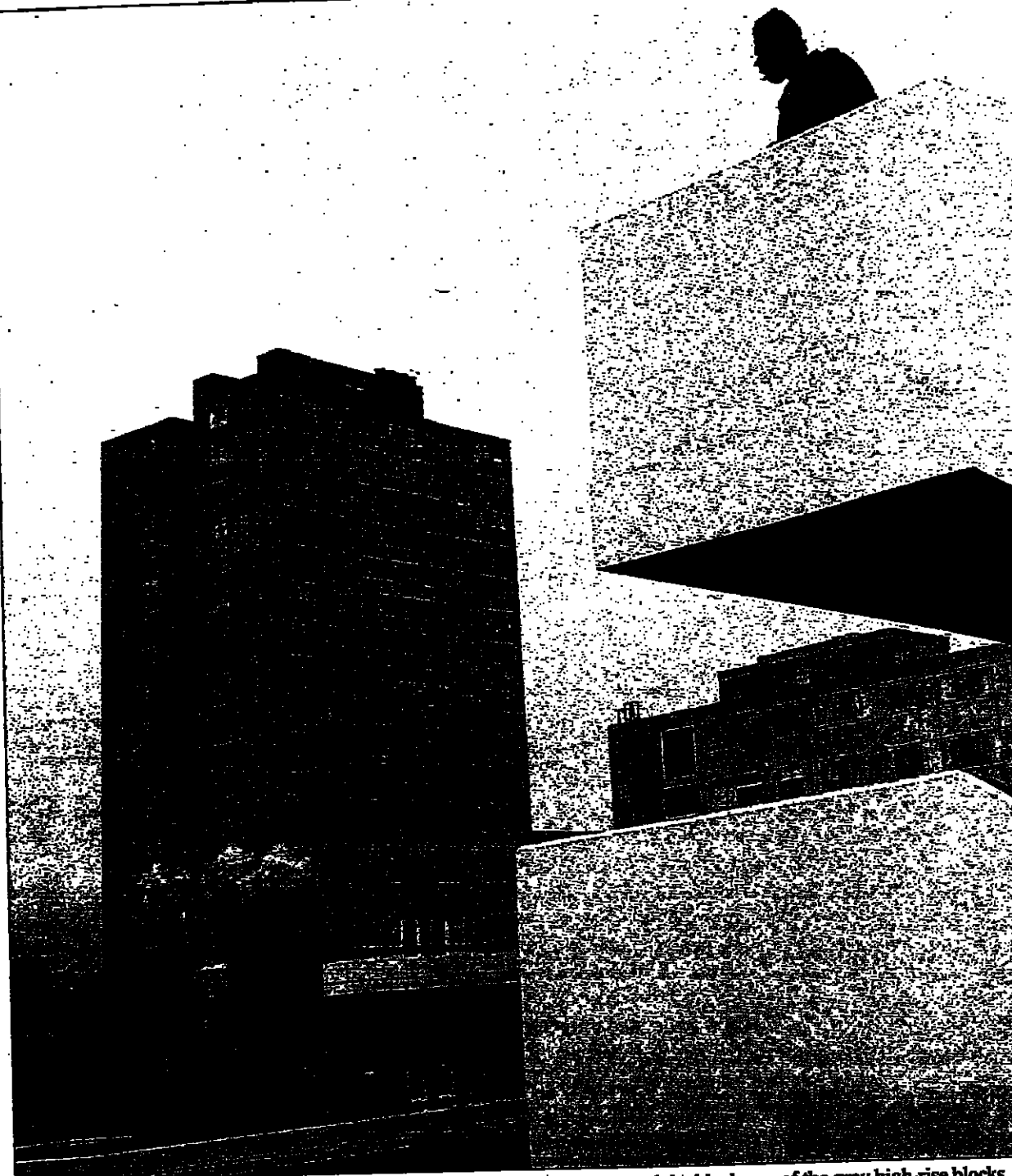
Miss Curtis was 18 and away at a christening party at her aunt's when she heard that the fuse had finally blown: on the north London estate, riots had broken out, buildings were burning and two people had been killed.

In the morning she returned home to find the estate surrounded by police. "In there it was like a ghost town," she says. "There was glass everywhere and everyone was barricaded in their flats."

On that night in October 1985 when PC Keith Blakelock was killed, Broadwater Farm became a symbol of the decline of the inner cities. Drugs, violence, deprivation, crime, single parents, pit-bull terriers — every evil of modern, post-industrial society were said to be the inevitable product of the estate and others like it. Its notoriety, reportedly, spread as far as the Bronx in New York, where residents spoke of it with horror.

Marooned in the heart of shabby Haringey, an area with the highest unemployment level in Britain, the Farm seemed possessed of every ingredient for potential disaster. Like many estates of the 1960s, it was built in the aptly named and inexplicably fashionable "Brutalist" style, characterised by grey high-rises linked by walkways. The housing blocks by Tangmere, Northolt, Marlesham — are named after Battle of Britain airfields. There was no communal space or facilities for the 4,000 residents, many of whom were pensioners, single parents, refugees or unemployed.

"When the riots came the Farm was at an all-time low,"



Cold comfort farm: the Broadwater community is learning to look beyond the bleakness of the grey high-rise blocks

Miss Curtis says. "But in many ways they were a blessing in disguise." The estate's bad name made it a prime target for clean-up campaigns and government hand-outs. There was an outcry from the leaders of other deprived communities when the estate received a £3 million grant last April. "The attitude seems to be 'kill a cop and get a government grant,'" said the Tory MP Philip Oppenheim. But this generosity was more than a bribe to keep the peace. What appears to have most impressed environment department officials is the determination of the residents to rely on nobody's efforts but their own to shape the estate into somewhere where life may never be pleasant, but can at least be tolerable.

A core of 80 to 100 young residents, of which Miss Curtis is a leading light, have set up a limited company to tender for building work on the estate, and a group of enterprise workshops to provide training facilities in everything from textile design to photography. The workshops also offer space for new businesses. The

aim is to create a self-financing economy and escape from the bureaucracy, which they believe to be the initial cause of the estate's difficulties.

"In the past, the council would send in a team to dab on some fresh paint and go away again," Nigel Norrie, the estate's business adviser, says. "Unemployment is 17.5 per cent on the estate, but the local people would just have to sit and watch. Anger and bitterness would be left behind and the work would be vandalised. It was like pouring money down the drain."

Experience showed that when residents became involved with improvement projects, vandalism virtually disappeared. "The guys who worked on the gardens are quite mean," Miss Curtis says. "No one will come and spray their benches." Many of the men that she once avoided on the stairs now run the newly opened shops on the estate. "They can't take drugs now they have a business to run."

Many Labour councillors disapprove of the new initiatives, saying that, by espousing an enterprise culture, the

Farm is playing into the government's hands. The community workers, most of whom are young, black, single parents and as far from the Tory stereotype as one can imagine, are unapologetic. "Councils cannot get used to people doing anything for themselves," Mr Norrie says. "But we don't want to depend on Haringey. If they give us a grant, who is to say they won't cut it back the next year? The government love us because we go it alone."

Activists are cheerfully realistic about the apathy still shown by many people living on the estate. A significant number, they know, get a better deal from state benefits than from mental jobs. "It's not worth their while if they're not getting a proper wage," Miss Curtis says.

When computing classes were introduced, the initial response was overwhelming. At the moment there is a waiting list of over 100, many from other estates. Enthusiasm tends to flag, however, after the first couple of lessons.

"Some drop out, they say it's too much effort and they can't make the commitment," Miss Curtis says. "So we ring them up and force them to come along. No excuses."

Broadwater Farm is still a long way from the bucolic paradise its name suggests. The buildings are still peeling, boys hang around in gangs frightening the pensioners, the new shops are scantily stocked and no competition for those on the local High Street. Competition, however, has nothing to do with it. "Ideally this place would be demolished, but there is actually a waiting list of people wanting to live here," Mr Norrie says. "Our aim is to train everybody so one day they will be able to leave the estate. Then we will get to work on the next lot."

● Broadwater Farm was an award winner in last year's Community Enterprise Scheme awards, sponsored by The Times, the Royal Institute of British Architects and Business in the Community. Information on this year's awards is available from Lesley Knevitt, Manager, Community Enterprise Awards, Business in the Community, 11 Stratton St, London W1X 5FD. 071-629 1600.

## MARKS & SPENCER

### PEANUT ALLERGY WARNING

#### CHINESE MENU FOR 1 CHINESE MENU FOR 2

Marks & Spencer has removed from display all stock of the following products:

CHINESE MENU FOR 1 — £3.99  
CHINESE MENU FOR 2 — £6.99

Both products contain a small amount of peanut butter which has been omitted from the ingredients list — this could be a risk to anyone with an allergy to peanuts.

Customers with a peanut allergy who have purchased either of these products are urged to return them to the Food Section of their local store, where a refund will be given. As these products can be frozen customers are advised to check their freezers.

Customers who are not allergic to peanuts can eat these products in complete safety.

NO OTHER ST. MICHAEL FOODS ARE INVOLVED.

St Michael

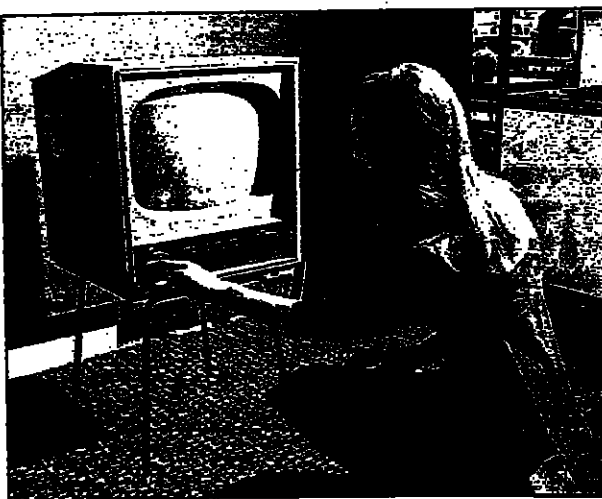
### Daniel Johnson on why the discriminating middle classes are switching off

If Karl Marx were alive today, he would surely have talked of television, not religion, as the opium of the people. Television is still the monarch of the media. But the British middle classes are fast becoming bored by the box, according to a Henley Centre survey published this week. Tired of a diet of repeats, dim-witted soaps, louché advertisements and sadistic violence, they prefer to spend their leisure listening to the radio, reading books, newspapers and magazines, going to the cinema or the health club. A minority of couch potatoes make up what the Henley pollsters, rather primly describe as the "cultural underclass". Members of the underclass watch far more than their wealthier, better-educated neighbours.

A popular, but false, explanation for the middle-class revolt is that standards have fallen because the Thatcher decade introduced "marketplace culture" into the sacred grove of "quality broadcasting". Malcolm Bradbury, the novelist, thinks that in the days of "well-written drama, plays by Pinter and Potter and Plater", there was a distinctive brand of British television which appealed to the whole nation. Instead, we now have a "culture of fragments", or in jargon, niche-marketing.

But even if we accept Bradbury's rather questionable premise — after all, Pinter, Potter and Plater are still going strong on our screens — there is something illogical about the conclusion. Going for specialist markets is not in itself making television more unpopular: people actually want more local news,

## Telly without the vision



Box of treats: the 1960s were the salad days of television

more personalised "interactive" services (which cable provides), and more of the carefully targeted features and news analysis with which newspapers can still score over broadcast media.

In fact, the public cannot express cultural preferences except through the market. The popularity of television is not declining because the Birt and Grades are listening to the viewers too much, but because they too often ignore the vital distinctions between different markets. Appealing to the lowest common denominator is not merely vulgarising: it means limiting choice, too. The middle classes expect their

prejudices to be treated with respect: after all, they are the majority nowadays.

I suspect that the public and the broadcasters have fallen out for reasons that have nothing to do with the latter embracing commercial values, but a great deal to do with the vast improvements that have been made by television's competitors. I am not only thinking of the obvious rise of satellite and cable TV, but also of the resurgence of much older media. Serious newspapers are incomparably better — in news, comment, features and reviews — than they were a decade or two ago; and there are more of them, too.

Radio, too, is producing better programmes than ever before. James Naughtie, who has just been chosen to succeed Brian Redhead on Radio 4's *Today* programme, is an interviewer and political analyst of great ability, combining gravitas and wit to a degree which few of his more visible counterparts on the box can rival. Yet his rise has largely bypassed television. People like radio because it makes more demands on their imagination than television, but allows them to do other things at the same time; the audiences loyal to Radio 3 and Radio 4 are the same people who are sick of mediocrity on the screen. By remaining true to these people or even going further upmarket, radio will have a great future, regardless of whether the BBC keeps the licence fee.

Obviously the emergence or revival of other sources of information and entertainment is not the only reason why intelligent viewers are voting with their switches against the BBC/ITV duopoly. Above all, there is a lack of intellectual leadership at the top. It is no good wishing old Reith back, nor lamenting the salad days of television in the 1960s. In those days many prophets of doom foretold the demise of the press. Now the boot is on the other foot. Just as newspapers learnt from television how to be enjoyable as well as useful, so television can rediscover a sense of purpose by imposing on itself the same editorial quality control that the serious papers take for granted. Television does not merely need more good programme-makers; it needs vision.

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The White





After a lifetime bringing the message of good food to Britain, why is the dynamic Prue Leith selling out?

# 'When you get to a certain age, herbaceous borders hold more interest'

THE ALICE THOMSON INTERVIEW

AS we headed for Berry Brothers and Rudd wine merchants one day for lunch, the taxi driver started to discuss their cellars. "At ways buy their house while it's extraordinary value," he said. "And see if you can taste their Chateau Palmer 1961." Where did he get his information from? He had been on the Prue Leith advanced cookery course for a year and food and drink was now his passion. One day he would like to own a restaurant but for now he was content popping back between jobs to marinate the veal or drain the stock.



the back of a radicchio leaf. After completing a cordon bleu course, she started her own catering company in 1962 from an Earls Court bedsit, cooking 'boardroom lunches and dinner parties and gradually set up a healthy sprinkling of cafes and restaurants and a renowned food and wine course which charges £7,000 for a diploma. She has written her own food bible and is a regular media mouth.

So the announcement this week that Miss Leith has sold off her empire, with the exception of Leith's Restaurant, to the French corporation Eurest, is somewhat depressing. Is it because we refused to eat her curly codives in Hyde Park and still demand ketchup with our polenta? And if so, aren't the French, who throw up their hands in horror if you can't peel your peach, going to be even more disgusted that we use our napkins to blow our noses? "At 53 I didn't want to expand any further or take any more risks and so I felt that I was holding the company back," Miss Leith says. "I have started to hanker after a more peaceful life and some financial security, and my children aren't interested. So I have decided to become an



Savouring the future: Prue Leith says "I have started to hanker after a more peaceful life and some financial security, and my children simply aren't interested"

employee for three years to tide the company over. I already love saying the word boss." We are sitting in her office above Leith's Restaurant in Notting Hill at 8.00am and Miss Leith is not looking remotely employee-like as she goes through her papers and profit with Miss Joshua, her stately Money Penny. Wearing an executive suit and silk T-shirt that would do any 1980s power broker proud and an ethnic necklace as a sop to the grungey 1990s, her sensible figure is more female cricketer than 'food' taster. Only her blunt, slightly grubby finger-nails give her profession away.

Her husband and joint business partner Rayne Kruger, 18 years her senior, drifts in and out in a continental beige suit and dark glasses. "We are like chalk and cheese," she smiles, and adds pragmatically, "he is tolerant, much better at detail. I am more interested in filling a sandwich. If I'd chosen someone my own age he would probably be looking at 20-year-old floozies by now."

Producing more than 17,000 meals a day, with an annual turnover of £17 million and more than 250 staff, Prue Leith Ltd is certainly not in financial difficulties. She obviously relishes adrenalin, so does she really want to give it all up? "When you get to a certain age, herbaceous borders begin to hold more interest. I want to get involved in children's education. And, yes, I would love to be a Dame. Being a bossy

woman, I like comminute work." It is easy to see Miss Leith scrutinising her fellow peers' tracheas in the gloom and deriding the government for feeding schoolchildren spaghetti hoops, harder to think of her challenging them over school syllabuses. But as the first female non-executive of British Rail she proved herself a blueprint for the Institute of Director's ideal woman. Justin de Blank, a competitor and supplier, calls her: "The amazing Miss Leith. She runs an enormously complex business with effortless efficiency but remains the cheery, smashing girl she started as. It's turned me into an old grump."

Miss Leith says her cookery skills are pedestrian but she has an astute stomach and is a great delegator. "I am also very enthusiastic. The children get embarrassed by it but I think it's a shame that enthusiasm has gone out of fashion." They have two children, Daniel, and their adopted Cambodian daughter D-LA, both 18. Miss Leith is remarkably good at switching off and taking long weekends with her family at their Oxfordshire farm. When she first started out, an entire first course for 250 people got stuck in a lift and the waitresses served the blancmange by mistake. Now she wouldn't worry and her proudest moment was when she won Businesswoman of the Year award and her son said, "But Mum you're always at home cooking the dinner. You can't be a businesswoman."

Her only regret might be trying to educate the sunbathers, rollerskaters and old age pensioners by taking up the franchise in Hyde Park. "That shook my judgment in myself for a second. I always thought everything I touched turned to gold. But what with the geese, the rain and the vandals I lost three quarters of a million." Of course, Miss Leith thinks the British still don't take food seriously enough. "The British have a very guilty conscience. But I love pleasure. Knees under the table is what sticks our society together." She considers it crazy to deny yourself delicious foods. "It would be like saying 'let's not have sex for the rest of our lives'. However I have to say

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## The White House tornado

The president knows he needs a restful summer break. But where should he go?

July is turning into August, the mercury is rising, and over-worked White House aides are growing anxious: President Clinton has yet to announce any vacation plans. Previous White House staffers never suffered this problem. Whether there was a Moscow coup or invasion of Kuwait, George Bush could be relied upon to spend August manically "recreating" in Kennebunkport. Ronald Reagan vanished to his Californian ranch for the month, banishing the media. Jimmy Carter went home to Georgia, Richard Nixon brooded peacefully at San Clemente, and John Kennedy frolicked in the sea at Hyannisport. Mr Clinton has worked harder than any of them and admits to chronic fatigue. The Tuesday night suicide of Vincent Foster, the president's lifelong friend and deputy White House counsel, was indicative of the intense pressure of life at the pinnacle of power.



No proper holiday since the election: Bill and Hillary in Hawaii

But Mr Clinton is the archetypal workaholic baby boomer. His favourite means of battery recharging is to join scores of fellow policy wonks for their annual New Year "renaissance weekend" on South Carolina's Hilton Head island. The man has not had a proper break since last year's marathon election. Last November, he snatched four days at the Californian oceanfront estate of his Hollywood friends Linda and Harry Thomsen, but he continued to "work" the beach and shopping malls as if he was still campaigning.

Last week Mr Clinton and his family were supposed to have a three-day break in Hawaii on their way back from the Tokyo G7 summit, which so exhausted him that he cut short a late-night meeting with John Major because he could not focus. Mr Clinton spent two days in Hawaii - golfing, swimming, shaking every hand in sight even when waist-deep in the sea and at one point delivering an impromptu sunset speech of inordinate length on Waikiki Beach. He scrapped the third day, preferring to dash off to Iowa for a second inspection of the Midwest floods. Hillary stayed behind to inspect Hawaii's unique health care system, at one point engaging reporters on a beach in an earnest discussion of the single-payer health care system. Mr Clinton has used Camp David, the presidential retreat in the Maryland mountains, just twice in six months, once for a "bonding" session at which members of his cabinet were urged to reveal some intensely per-

sonal experience from their past lives. Either the rustic surroundings aggravate his allergies, or he finds the solitude just too much. This is a man never happier than when pumping hands in an adoring crowd. There is another problem with Mr Clinton's summer holidays. His predecessors were relatively wealthy men who owned properties that were easily convertible into "summer White Houses". Mr Clinton, who spent the last decade living in the Arkansas governor's mansion, does not own so much as a Little Rock row house. He returned to the city last weekend while Hillary and Chelsea were still in Hawaii. He stuffed his golf clubs and luggage in the back of his limousine. After golf at a country club he changed his shoes in the back seat

and joined a gathering of friends at the home of a high school classmate. He then went to another friend's apartment, fishing a clean white shirt - still in its dry-cleaning bag - from the boot on his way in. Well after midnight he arrived at the home of Thomas "Mac" McElarry, his chief of staff and childhood friend, to sleep. The next day he drove to visit his mother in Hot Springs, before flying back to Washington. Mr Clinton's frenetic first six months, all those 20-hour days and seven-day weeks, have taken their toll on the president. He sleeps so little that a recent eight-hour night made news. He admits to being exhausted after "grinding through this enormous number of tough decisions", and now snatches one-hour daytime naps. He has even talked of giving up the early-morning jogs that are, he says, the only way he can "shake awake".

Aides have virtually ordered him to take two weeks off next month. Knocked sideways by Mr Foster's suicide, the president spoke on Wednesday of the need to spend more time with friends and family. "Try to remember that work can never be the only thing in life," he urged his devastated White House staff, but the Clintons have yet to decide where to go. A few days in Arkansas are certain, and there are rumours of a trip to either the Colorado mountains or to Florida where Hillary's two brothers live. In fact the Thomsons bought their \$8 million estate in California as a tailor-made "summer White House" for the president, but using it has become politically impossible for Mr Clinton. It is not just that the Thomsons are elite Hollywood types. It was Mr Thomsen who triggered the recent "Travelgate" debacle in which the White House travel office was sacked then reinstated. He had complained to the Clintons of the exclusion of friends in the travel business. For the time being, certainly for public consumption, he has become persona non grata.

Diane Blair, an old friend and political scientist at Arkansas University, insists Mr Clinton can relax - but not for long. "I've seen him float by the hour in an inner tube and seen him totally absorbed in a murder mystery or deeply engaged in board games with whatever children happen to be around," she says. "But before long he starts making phone calls."

MARTIN FLETCHER

### WHERE WILL THE MAJORS BE STAYING?

FOR the first time since they moved into 10 Downing Street, John and Norma Major are turning their backs on a holiday in the orange and lemon groves of Candeleda in northern Spain. The couple, constantly shadowed by their security staff, have become celebrities in the tiny village where they stay. The Majors are going on holiday instead, next month in an undisclosed destination in Portugal for about ten days. Stephen Wall, the British ambassador in Portugal, is trying to fix up a suitable location.

Mr Wall is under instruction not to pick a resort which is too hot. Security considerations were one of the reasons for an alternative venue. But there was another factor. Candeleda is simply too hot in the middle of August for the fair-skinned Majors.

## IMPORTANT NOTICE to consumers and retailers of SEVEN SEAS TONIC for adults.

(300 ml size-lot: 220138)

In the course of our continuous quality assurance programme, we have discovered that a small number of packs from a batch of Seven Seas Orange Flavour Vitamin and Mineral Tonic, sold in 300ml bottles, has been affected by a manufacturing defect.

An alcohol solution which is used in the industry, and is normally used in the filling procedures for this product, has been found to have spoiled two bottles in this batch of 15,600. Other bottles in this batch, which have been inspected, have been without fault but there is a possibility that a small number of bottles in retail distribution may be affected. The spoiled product may cause some short term ill effects if taken as directed. Therefore, as a precautionary measure Seven Seas are recalling this entire batch of product.

If you have purchased Seven Seas Orange Flavour Vitamin and Mineral Tonic you are advised to check the

batch number which is printed on the side of the pack carton and on the bottom of the bottle label.

THE BATCH AFFECTED IS MARKED- "LOT: 220138"

If you have this pack, do not consume, but please return the bottle, together with a copy of this notice, to the retailer where it was purchased for a replacement or full refund. Seven Seas will reimburse retailers accordingly.

We give our assurance that no other Seven Seas product has been affected in this manner. Seven Seas always strives to provide health products to the highest quality standards. Seven Seas apologise for the inconvenience caused to our customers by this recall.



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## Philip Howard



## Smart Italians choose an even smarter Greek for summer reading

Intellectual snobs are beastly about bestsellers. Their beastliness may arise partly from the envy felt by those whose own books have never rocketed into the artificially illuminated stratosphere of the book world. What is elected by the trade as a bestseller is a Jurassic superstar among books, a book known primarily (sometimes exclusively) for its celebrity. Nobody necessarily reads it with a rush to turn the pages.

Nevertheless, it will have come as a welcome surprise to all literary snobs to learn the title of the runaway bestseller in Italy for the past year. In an inexplicable tide of mass appeal, this was not the Italian version of some *compere e bonica* melodrama, nor sex romps among the aristocracy, nor another exposure of the Mafia, but an austere work of philosophy 2300 years old, and written not even in Latin, but in Greek. The magazines in an Italian kiosk suggest that Italians are quite as trashy in their reading habits as the British, and marketing surveys indicate that the average Italian does not buy even one book a year.

So what can have created this sudden passion for the work of Epicurus, who has spent a year at the top of the Italian bestseller lists, with sales of more than 1.3 million copies? Contrary to the view propagated by the church from Dante and Milton onwards, Epicurus was not a hedonist proponent of wine, women and song, and *la dolce vita*.

In the modern world, Epicurean has come to mean devoted to corporeal pleasures: sensual, luxurious and gluttonous. But Epicurus (341-270 BC), the poor boy from Samos who founded the Epicurean cult and commune, taught an austere philosophy of high thinking and simple living. His main doctrine preached *ataraxia*, freedom from worldly troubles and ambition, by paying as little attention to food and sex as humanly possible. "I live on bread and water, and I spit on luxurious pleasures, not for their own sake, but because of the inconveniences that follow them." He was a gentle invalid, and his teaching was intended to free humans from their fear of the gods and of death. This was why the medieval church, which did good business out of the fear of hell, regarded Epicurus as a dangerous pagan.

His doctrines were expounded most fully and poetically by Lucretius in *De Rerum Natura*. But the new Italian bestseller is a jazzed up translation of the obscure *Letter to Menoeceus*, recorded by Diogenes Laertius, the credulous biographer of Epicurus. Even jazzed up, this is still sober stuff, rather like the *pensées* of that favourite philosopher of Bill Clinton and Jeeves, Marcus Aurelius (who was in fact a Stoic). "Sexual intercourse has never done a man good, and he is lucky if it has not harmed him. He ought never to drink to excess, neither should he spend the night in revelling and parties. He shall not go in for politics." Bestsellers should be made of less stiff stuff.

Wild are the socio-pop explanations for this sudden Italian passion for that gentle political herbivore, Epicurus. Some explain that Italians are so disgusted by the corruption of their politicians and the vulgarity of their mass media, that they are following his ancient advice to turn their backs on the transient world. Others detect an element of *snobismo* in the fashion, in which Epicurus has become the smart thing to leave lying around casually on the sitting-room table. Cynics (another old sect like the Epicureans and Stoics whose doctrines have been distorted) note that the little pale book of Epicurus, craftily renamed *Lettera sulla Felicità*, is one of a new range of booklets called *millenire*, ie it costs less than 50p, and makes a one-up small present for birthdays and Christmas. Others suggest that the modern world yearns desperately for some authoritative figure to teach it the secret of happiness.

Whatever the reasons, the publishers are now flooding Epicurus in motorway service stations, and doing a brisk trade in other old pontificators such as Seneca, Martial and Heraclitus. Martial, for Jupiter's sake, the nasty old brute. Whatever the reason, the sudden renewed popularity of Epicurus will tickle the old fellow pink in his tranquil afterlife after life's fitful fever. One of the best arguments for the craze of bestsellerdom is that it encourages the readers to carry on to read better books. Let us hope that this Italian disease is catching.

The legality of all actions — even those of ministers — is subject to scrutiny in court, says Anthony Lester

## The government is not above the law

Next Monday, Lord Rees-Mogg will apply to the Divisional Court for judicial review seeking to prevent the government from ratifying the Maastricht treaty on European Union and its protocol on social policy. He will argue that ministers' prerogative powers to ratify treaties have been limited in this case by Parliament, and that ratification by the government would be unlawful unless and until Parliament has approved the Agreement on Social Policy as well as the main treaty itself.

Enter Tony Benn, contending, with some support from the Speaker of the House of Commons, that a constitutional crisis is looming, that the process of judicial review is infringing Article 9 of the Bill of Rights, and that Parliament must reassert its supremacy. Such a dramatic claim of a potential clash between Parliament and the courts may enliven the medium of the toruous, protracted and obscure debates on ratification of the Maastricht treaty, but the claim is ill-founded, and the warning to the judges is wholly unnecessary.

Article 9 contains a vital guarantee of complete freedom of parliamentary speech and debate. Our courts have always been zealous in protecting parliamentary privileges, including that "speech and debate clause", just as Parliament and government have been careful to respect the independence of

the judiciary in maintaining the rule of law.

Our constitution may be unwritten and incomplete, but the basic principles are clear. It is the exclusive function of Parliament to exercise its sovereign powers to make legislation. And it is the exclusive province of the judiciary to decide what legislation means, by interpreting and applying acts of Parliament. An act of Parliament takes effect through the language in which its principles and rules are expressed, and through their proper interpretation by the courts.

Last November, in *Pepper v Hart*, the Law Lords decided to reverse an ancient and outmoded rule which forbade judges from taking official notice of parliamentary debates for the purpose of making sense of acts of Parliament when their texts are ambiguous or obscure.

Absurdly, before that ruling, British judges could read European debates, or the Bible, or an American Supreme

Court case, but they could not read what ministers had told Parliament or what was contained in white papers in order to discover the intended meaning of legislation.

The decision in *Pepper v Hart* has enabled the courts to give effect to the purpose of legislation, rejecting the sterility of a mechanical and literal interpretation of the handiwork of Parliament.

Armed with a letter from the Clerk of the House of Commons, the attorney-general had argued that to change that exclusionary rule would infringe Article 9 of the Bill of Rights.

The Law Lords (including Lord Chancellor Mackay) unanimously rejected the attorney-general's claim, and their decision certainly ruffled some ministerial and civil service feathers, as well as Tony Benn's. Lord Browne-Wilkinson recognised that Article 9 is "of the highest constitutional importance and should not be narrowly construed". But in words of crystal clarity he explained

that the Law Lords were "motivated by a desire to carry out the intentions of Parliament in enacting legislation, and have no intention or desire to question the processes by which such legislation was enacted or of criticising anything said by anyone in Parliament in the course of enacting it. The purpose is to give effect to, not thwart, the intentions of Parliament."

The decision in *Pepper v Hart* brings our courts into line with the constitutional position elsewhere in the Commonwealth and the United States (which countries are just as jealous as we are of the right of democratically elected legislators to discuss what they like and to say what they will). So far from shifting political power from Parliament to the courts, the ruling enables the courts to give better effect to the legislative intent where the legislative text is unsatisfactory.

Next week's application for judi-

cial review does not seek to challenge the sovereign powers of Parliament. It argues rather that the Queen's ministers may not act in breach of Section 6 of the European Assembly Elections Act 1978, which limits the prerogative powers of the executive to ratify a treaty increasing the powers of the European Parliament unless it has been approved by the Westminster Parliament. Mr Benn dislikes arbitrary prerogative powers. If he were logical and consistent, he would welcome Section 6 of the 1978 act, and would want its terms to be strictly observed by ministers.

It is the function of the courts, and not of Parliament, to decide what Section 6 means and whether its terms have been satisfied. That is a legal and not a political issue.

Whether Lord Rees-Mogg is right or wrong in law, he is entitled to unimpeded access to the independent courts for the determination of that issue. Article 4 of the Act of Settlement of 1700 described the laws of England as "the birthright of the people", and confirmed the duty of the Queen's ministers to administer government according to law.

Our courts require no lessons from the separation of constitutional powers, parliamentary sovereignty or the rule of law in a democratic society.

Anthony Lester QC argued *Pepper v Hart* against the attorney-general.

## Some families have long genealogies; for others the mists of time are dense indeed

There have recently been some rather odd arguments about Jeremy Paxman's forebears; the discussion turned upon the question of his Jewishness, if any. *The Jewish Chronicle* joined in, either to claim him as one of the Chosen or to refuse him the imprimatur, while he, buffeted from both sides, argued that he did not know, and could not find out, so short was his genealogy.

Here I must tread carefully, for two reasons. First, I definitely am Jewish, and with a name like Levin I could hardly be anything else. Second, I am not entirely sure who Mr Paxman is or what he does. But the discussion has been given a new dimension by Auberon Waugh, who professes to be astonished, or even is astonished, at Mr Paxman's revelation that he can go back only two generations. Hear Bron:

Can it be true that most Britons have no idea of their own ancestry? Do they have no family Bibles or records? To what purpose did their great-grandparents go to all the trouble of bearing and rearing children, only to be forgotten in two generations? How can people be sure they exist until they have established their antecedents?

Bron, of course, goes back so many generations that his very surname is in doubt; some say he is really Wudge, while others declare it should be Whong; whatever it is, there can be no doubt that his ancestors robbed churches for Charles I, and possibly for Cromwell too (no harm in having a foot in both camps — could be useful in an emergency). But if Bron, contemplating Mr Paxman's family tree, finds it a mere *borsai*, what will he say of me? For my family tree is a mere seedling; it is almost literally true that I am my own ancestor. So if he will draw up a chair and listen, he — and of course the rest of my readers — will learn something of late-19th-century Russia, and in learning it, perhaps be surprised. (Those skilled in reading between the lines may even learn things about me that they did not know.)

First, I can go back only two generations on my mother's side, and only one on my father's; beat that, Paxman. Second, no, I do not have any family Bibles or records; I have my own birth certificate and my mother's death certificate, and I could, if I wished, get her birth certificate, because she was born in Britain. I have photographs of her, and one of her father. And that is

all, where documentary evidence is concerned. But oral evidence is another matter.

To start with, let me give you an idea of the difficulty I would face if I embarked on an expedition to trace my ancestors: one item will, I think, suffice. When my mother's parents made the trek from the Pale — their home village was Nezhin, some 40 miles from Kiev — they fetched up in Szczecin (né Stettin), from which the great diaspora sailed. Where they were sailing to was for them of no consequence; the only thing they knew was that they were going somewhere where there were no pogroms, no Cossacks, no restrictions as to where they might live, no tiny list of trades they were allowed to practise.

My grandparents boarded the next ship; it was going to the United States. (I cannot break myself of the habit of wondering what sort of life I would have had if I had been American.) Just before the ship sailed, my grandmother fell ill and could not go; she, and her young husband, disembarked. Her illness was found to be nothing serious, and she recovered in a few days, but the ship that was going to New York had sailed. No matter; where was the next one going? England, they were told. But that left them none the wiser, because they had never heard of England.

Well, now, whatever you can say about Auberon Waugh (or Wudge or Whong), he had heard of England very early on in his life, and it must be even more astonishing for him than for me that my own grandparents had not. (Another echo sounds; as a student, I was going to the Edinburgh Festival. My grandfather asked me if I had to go by ship to get to Scotland, and if I did how long did the voyage take?)

More astonishing; my grandmother could neither read nor write in any language; my grandfather could read Hebrew, and struggled with just about enough English to read a newspaper, but not enough to read a book. I used to read to them, though few books were simple enough for my *boobah*. (But she bore one of the world's most beautiful forenames: Bathsheba.) I am not sure, but I think I remember my grandfather signing something with a cross.

As for my father, the test is incomplete, because my parents parted when I was a baby, and he emigrated; I met him only once, when I was at university; but I never learnt of his own antecedents, if indeed he knew them himself. All

Bernard Levin



For young Master Levin the future stretched out further than the past

I knew was that he was from Lithuania; my love of very sharp tastes assuredly stems from my *livak* blood.

Now, then, with that background, would anyone expect documents, family Bibles, genealogical tables going back to the Pale and all the other impediments of those who can trace their ancestors through a settled life in a settled community? I suppose that I could say proudly "I am my own posterity", but the effect would be somewhat lessened when the bystanders learnt that I am a bachelor. (Ah, but I have a splendid nephew, my only sister's only child.)

No documents, but much reminiscence. As a child, I sat hypnotised as my grandparents spun the stories of life in

the Pale — real stories, that is, with real characters, real tragedies and comedies, real brutality and real *comfoting*. Bron's autobiography *Will That Do?*, a touching but astonishingly sad book, cannot provide anything like my grandparents' world: what is the calm of the Waugh archives to the thunder of Cossack hoves, for all that I have not a scrap of paper to back up my memories.

Apart from the clothes they stood up in, my grandparents brought only two things from Nezhin: the samovar and the mortar-and-pestle. The latter was a fine bronze one, welded with effortless skill by my grandmother; but the samovar was the great prize of the family. My grandmother polished it

weekly; it now adorns my sister's home. I bet the Waughes have never drunk tea from a real, hundred-year-old samovar, and that goes for the Paxmans.

Yet the pull of the Pale was stronger than I could have guessed. In the second world war, Nezhin was mentioned in Stalin's Order of the Day: the retreating Germans had left it. My grandmother, who, I recollect, made a form of cherry brandy (presumably in an illicit still), had to leave the very place from which they had fled because of persecution. By then, my grandparents had been living in Britain for something like 60 years, yet the ties that bind proved astoundingly strong.

A few years ago, someone suggested that I should do a television series by going back to Nezhin (ha! all this nostalgia tricked me into saying "back" to a place I have never set eyes on) to reminisce about the place I stemmed from, and to chat with the villagers, no doubt in the chance of an eldest inhabitant remembering that chatterbox Miss Nemkovsky (my grandmother's maiden name). I had to point out that even if Nezhin still existed in any form, which is singularly unlikely, the second world war had passed over the place four times, and those Jewish inhabitants whom Stalin failed to murder would certainly have been murdered by Hitler.

What is there in me of my forefathers? Perhaps I didn't know many of them, as I have just indicated, but they existed, and finally managed to create me. A mixture of Russian and Lithuanian blood must have made some kind of a mark; I have soaked up a great deal of Russian literature, but that means nothing — many people can do that without going further than Southend. On the other hand, I cannot bring myself, when questioned on my nationality, to say "English", though I was born and bred in England; I always say "British", which usually suffices.

My Jewish upbringing has given me a very great deal, even though my home was not really observant of the religion (candles were lit on the high days and holy days, but not much more). One thing has certainly stamped its mark on me: I love Jewish food in almost all its forms, and I am desolated to find that Jewish cuisine has almost died out; when I was young there were dozens of fine Jewish restaurants in London alone, but today there are only a handful, most of those a wretched imitation. On the other hand, I cannot read a word of Hebrew, although I can get by in Yiddish. None of that, though, answers my question: if my blood is that of the Pale still, how does it show in me?

Perhaps it is not for me to answer the question; if you see me in the street looking Russian, you may try your theory briefly. But do not expect me to dance a *gazatzka*; not with my bad back.

## Eighties man

LABOURS' former leader, Michael Foot, rolled out the barrel last night at a knees-up celebration of his 80th birthday. He was singing in the aisles with his old chums Neil Kinnock, Barbara Castle and Norman Willis at a surprise party laid on by *Tribune* newspaper in his favourite London music-hall. Sadly, there was no sign among the 100 or so guests of the one-time Tiller-girl Benny Bootbroyd.

While moist-eyed renditions of "Daisy, Daisy, Give me your Answer, Do" and "Burlington Bertie" at the Brick Lane Music Hall in the East End filled the air, one guest was taking a somewhat professional view of proceedings. Ann Clwyd, the shadow heritage secretary, was well aware that music-hall is part of her brief.

A Pearly King, roast beef and Yorkshire pudding, and lashings of custard with spotted-dick. Foot's own choice, added to the sense of occasion. The birthday boy was even handed a cake in the shape of *Tribune's* front page, with the

headline "Michael Foot: 80 not out". But sadly the girls who usually top the Brick Lane bill, Barbara Windsor and Ruth Madoc, were absent.

Baroness Castle, the other Barbara in Foot's life, was in full flow — although she does not quite share her friend's passion for music-hall. "He has liked it for years. But then he has always been a funny lad, our Michael, and we haven't always agreed," she says. "We have had a lot of banter over the years. Our relationship has always been



iconoclastic. We have always thrown rudeness at each other, even though we are now in our eighties."

He may not have endeared himself to his boss, but Mark Tully's standing in the BBC has improved immeasurably since his fiercely critical speech at the Radio Academy festival. So much so that he received a spontaneous standing ovation this week from nearly 100 BBC staff — simply for walking into the bar at Bush House.

## Righter of wrongs

NOT CONTENT with challenging judges over parliamentary rights, Tony Benn is now taking on the feminist lobby. The cause of his concern appears to be a glaring omission at Westminster's "Women into Politics" exhibition, which runs from Nancy Astor through to Margaret Thatcher.

He points out there is no recognition of the first woman elected to the Commons, Countess Markievicz, who was returned as the Sinn Féin candidate in a Dublin ward, before partition, in Dec-



## DIARY

ember 1918. Armed with hammer and nails, Benn is striving to rectify the error. He has put up a photograph of the woman who never took her oath of allegiance, and hung it on a wall of a nearby Commons corridor. Markievicz, who had been active in the Easter Rebellion in 1916, was elected to the Commons the year before Nancy Astor took her seat for Plymouth South.

## Heads will whoop

EVEN famous boarding schools may be tightening their belts as fees rise and the recession causes a drop in pupil numbers, but the independent school headmasters, attending their annual conference in Oxford in September, are eschewing traditional appeals for austerity.

Heads and their spouses used to book into the halls of

residence of the colleges hosting their conferences. But last year's conference, in Bruges — which caused protests on grounds of cost — seems to have given some a taste for the high life.

Far from booking in en masse to the halls of St Catherine's College, Oxford, which is hosting this year's gathering, they are turning instead to the comforts of the four-star Randolph Hotel, at £140 a night. "There is hardly a room left," says a chuffed receptionist.

● The Maastricht debate has already claimed one casualty. The annual and keenly contested cricket match between the press corps and the MPs and peers' team has been cancelled. Last night's knife-edge thriller in the Commons meant neither side had the stomach for another fight.

The Tory MPs in the team were obviously trying to avoid facing any more googlies.

## Star wares

ELSTREE Film Studios is to survive after all. Well, a bit of it. Shepperton Studios in Middlesex is negotiating to buy the stage at Elstree where Steven Spielberg's *Star Wars* was shot. At the moment, the stage, a hangar-like steel garage of 35,000 sq ft, lies dismantled on the ground. It will cost Shepperton about £1 million to buy, move and rebuild the stage.

Denis Carrigan, Shepperton's managing director, says that Kenneth Branagh's forthcoming *Frankenstein*, starring Robert de Niro as the monster, is likely to be the first film to use the stage.

Though obviously sad at Elstree's demise, he is delighted at Shepperton's acquisition and the chance to see Frankenstein roam where Darth Vader once reigned.

Branagh's co-producer, David Parfitt, says "Spielberg is a great hero for Ken." He is a great popular entertainer and Ken is very big on popular entertainment."



## Provincial radio at last

BRITAIN'S armed forces may be struggling with cutbacks, but there will at least be more entertainment in the newly streamlined services. The British Forces Broadcasting Service, where Nigel Davenport (left), Roger Moore (right) and the late Sir Geraint Evans cut their theatrical teeth, is expanding.

Next week, the station which bolstered our boys in the Gulf will open its first permanent studio in Northern Ireland to relay news and views direct from the province to UK forces stationed around the world. Its transmissions will almost certainly win approval from Maryn Lewis. "All we ever hear is bad news about Northern Ireland. We want to change that and put things in context," says Peter McDonagh, the director of broadcasting.

The technology will of course be vastly more advanced than that employed when the service first transmitted in 1943 from a harem in Algiers. One hopes that its ability to spot talent has likewise improved. "Lieutenant Roger Moore was employed as an actor by us just after the war," explains McDonagh. "He left with a note that said he couldn't act."





## SOUTH OF THE BORDER

Russia should move warily on its southern flank

Reports of Russian artillery strikes on Tajik rebel forces in Afghanistan, cross-border shelling and heavy casualties in attacks on border posts are an awful echo of the bloody Soviet intervention in Afghanistan. Once again Moscow is being drawn into the Great Game of feuding clans and fundamentalist power struggles that for generations have drenched Russia's southern flank in blood. Once again, it seems, an imperial power is defending the *limes* with overstretched supply lines in a faraway land.

This time retaliation by Russia's 201 motorised rifle division against rebel incursions from Afghanistan has greater legitimacy, though no less self-interest, than the notorious dispatch in 1979 of a "limited contingent" to fulfil what Soviet propaganda called its "internationalist duty". Tajikistan is still part of the threadbare Commonwealth of Independent States, and relies on CIS — meaning nowadays Russian — forces to guard its southern border.

After a bewildering series of coups and counter-coups inspired as much by clan rivalry as political differences, there is now a government in Dushanbe composed of the old-style pro-Moscow elite, cautious secular nationalists, moderate reformers, albeit in power by provincial guile. In a civil war that has been raging for over a year, they are opposed by Islamic fundamentalist guerrillas, allied to self-declared radical reformers, supplied and armed by ethnic kinsmen in Afghanistan and by some of the Afghan Mujahidin factions that fought the Russians for a decade.

The Russians remain on the Tajik border by treaty, and largely with the approval of that section of the impoverished country's

population that did well under communism and fears any imposition of an Islamic republic. The Russian government however has a strong interest of its own in maintaining a presence all along the southern frontiers of the old Soviet Union. It is fearful that a more porous border would allow through not only drugs, guns and contraband, but the virulent influence of Islamic fundamentalists, encouraged by Iran and by Afghan warlords such as Gulbudin Hekmatyar, which in turn would increase tensions among the Russian minority in Central Asia.

There is rare consensus among the political factions in Moscow on the need to remain in Central Asia, though for very different reasons. The old guard still hankers after the old empire. Reformers want to develop current economic links while forestalling any pan-Islamic and anti-Russian movements. All know that a sudden exodus of panicked Russian refugees would force Moscow into a much more serious confrontation with Muslim radicals.

The average Russian is more cautious. He is right to be. However much Russian forces attempt political neutrality, they are increasingly a target for nationalists. Retaliation and hot pursuit will engender greater hatred, and more Russian conscripts will be killed. Afghanistan, like Vietnam, seared a generation and left a wariness of foreign entanglements. Russians want to steer well clear of conflicts they know instinctively have all the ingredients of ethnic and tribal vendettas. While the CIS has still life and legitimacy, Moscow should try to ensure that regional defence falls more to national forces in the new republics.

## BACK TO THE TITHE

The Church's financial problems require radical solutions

The independent enquiry into the management of the Church of England's assets published yesterday foreshadows a financial crisis that should alarm all Anglicans. The investigation called for by Dr George Carey, the Archbishop of Canterbury, found that the incompetence of the Church Commissioners, who manage £22 billion of ecclesiastical assets, contributed to a loss of £624 million between 1989 and 1991. Like many public bodies, the church must modernise its structure and put its books in order.

During the 1980s the commissioners, who pay for priests' pensions and much of their salaries, invested large sums in commercial property and were certainly victims of the property slump. Yet their strategies were poor. They borrowed heavily to finance speculative property developments when little cash was coming in. Property accounts for more than half of the church's portfolio; the average pension fund has property holdings of around 7 per cent.

Future commissioners must seek safer alternatives, even if this occasionally means lower returns. More prudent advice from outside consultants and better project appraisal would have helped. So too would the setting of sound performance objectives for the portfolio, which might have kept the commissioners away from the dice game of property speculation. It must also be hoped that the new head commissioner, Sir Michael Colman, the first businessman to hold the post, persuades other experienced financiers to join him in running the church's finances professionally.

Yet the church must accept that better asset management alone will not solve its financial problems. Earlier this month, the General Synod was warned that the commissioners' contribution to clerical stipends is likely to fall from 41 per cent to 30

per cent by 1996. At the same time, the church faces a substantial drain on its resources if many laity or clergy leave the fold in protest at the ordination of women. Laymen will take their contributions with them; and the church expects to pay £11 million in compensation, housing and pensions to every 100 men who resign their orders out of conscience.

To freeze clerical pay or reduce the number of ordinations is obviously an undesirable way of controlling costs. The church should instead devolve financial management and encourage parishes to seek self-sufficiency. At present, the distribution of resources and priests is highly centralised, governed by the "Sheffield formula", which determines how many clergy are allocated to each of the 43 dioceses. It is not uncommon for a third of the parishes in a diocese to fund the other two thirds. While a certain amount of redistribution is essential to fund small, isolated or particularly poor churches, parishes should be given much greater control over their resources.

Since the traditional fund-raising combination of bazaars, fetes and good intentions is no longer enough, the direct contribution of churchgoers, who currently give an average of £3 a week each, must increase dramatically. Last year, Dr Carey implored the laity to give 5 per cent of their income to the Church. Individual parishes will raise the necessary donations only by increasing their congregations. This is a harsh message for the church, as it continues to reel from its decision to ordain women priests. But yesterday's report shows that Anglicanism can no longer depend on the proceeds of inherited wealth: four hundred years after the Reformation, it may be time for something closer to the medieval tithe.

## AND HERE IS THE FORECAST

Meteorological prophecy must remain tribal poetry

Weather men and women are solemn students of the atmosphere, condemned to be treated as clowns by the public. The Meteorological Office, which yesterday published its annual review, with a cringing 16-point consumers' charter promising to improve its accuracy, is part of the Ministry of Defence. Its officers dislike being called forecasters, because, they declare, prudently, their job is to study the weather, not to predict it or to change it. Its annual report boasts of greatly increased revenue from customers and reduced charges to taxpayers, plus an increase in the accuracy of its prophecy to 85 per cent over 24 hours.

But nobody is going to believe all that. As Cassandra was cursed to prophesy the truth, but to be believed by no one, by their subject weather men are stuck with being celebrity Aunt Sallies in silly pullovers and accents. Weather and the English language are the only two topics on which everybody in the United Kingdom deems himself (less often herself) an expert. From the oldest proverbs in the language to the searchers at the Met enquiries office for what the weather is going to do, increased to 1,000 calls last month, for the British their weather is the subject of most immediate daily concern, prophecy-it-yourself pig-headedness, and healthy mistrust of experts.

The television weather forecasts, with their slickly designed but unintelligible graphics, are the most popular but least understood national rituals. One survey has shown that of all television programmes, the weather forecast is the one that viewers have most difficulty in recapitulating accurately

immediately afterwards. Another demonstrates that if the forecaster were to say that the weather would be the same tomorrow as it was today, he or she would be only 10 per cent more inaccurate than the present supposedly scientific methods.

Twenty years ago, in the long eye of satellite photography, the Met Office introduced long-range weather forecasts a month ahead. Observation by indignant sufferers of the weather soon demonstrated that these were wrong almost all the time. Consequently, the long-range forecasts were dropped, and the Met Office admitted that it could get the weather right only about a day ahead, at the most, with luck.

If the weather men and women were ever to start getting their prophecies right regularly, they would have to become the serious broadcasters. The overpaid and over-exposed news readers, who have become sillier even than the British weather, could then replace them as the buffoons in funny pullovers and regional accents.

In most trades, increased cost efficiency and accuracy are considered desirable. Weather forecasting is the exception. Those who want to foresee their weather infallibly should emigrate to the Sahara or the North Pole. One attraction of Britain's offshore island on the wet and windy edge of the Atlantic is that there is at least one irregular natural event that is inscrutable to know-all scientists, but of daily interest to the amateurs. With the weather we are all experts. The Met Office should recognise that its business is folk poetry and provocation, not accuracy. Everybody else does.

## New policies on drug offences

From Sir Nicholas Fairbairn, QC, MP for Perth and Kinross (Conservative)

Sir, I am sure that the law-abiding people of this country must be confused that the leader of the party of "law and order" should have used his office to appeal successfully on "humanitarian" grounds for the release of the two female convicts imprisoned in Thailand for admitted drug smuggling (report, July 22). Four million pounds' worth of heroin at street value is enough to ruin the lives of many thousands of families.

The Scottish select committee is presently investigating the illicit proliferation of drugs. Nothing we have seen has been other than horrifying — the evil using the guile to prey on the innocent for the enrichment of the evil.

Some of the media have already turned these two heroin carriers into heroines. And we shall probably have to endure many more days when they are pictured on every newscast and in every paper. How much loot will they and their parents make from the media for telling their stories?

The late Lord Justice Clerk of Scotland, Lord Wheatley, pronounced receiving as more heinous than theft. No receivers, no thieves. Equally, no Cahills and Smiths, no drug-peddling. These two women were rightly sentenced and wrongly pardoned.

For God's sake, let the media be forbidden by Parliament to exploit and exalt such contemptuous malefactors; and criminally punished for making payment to such for their story.

Yours faithfully,  
NICHOLAS FAIRBAIRN  
(Member, Scottish select committee),  
House of Commons,  
July 22.

From Mrs Sarah McCabe  
Sir, The prime minister disclosed in the House of Commons on Monday that he had sought from the Thai government the release on humanitarian grounds of two young British women convicted of drug-trafficking in that country.

Would he now accede to requests that might be made by other governments for the release of women in prison here, who — though perhaps not young — have, through ignorance, fear or greed, tried to bring drugs into this country?

Home Office policy has, in the past, encouraged severe sentences for such offenders, and parole for non-nationals is usually inappropriate. Consequently, a number of women from Asia, Africa and South America spend many years in British prisons far from their families and familiar surroundings.

On humanitarian grounds should not their release, too, be a matter of negotiation between governments?

I am, yours faithfully,  
SARAH MCCABE,  
1 Stoke Place,  
Old Headington, Oxford.  
July 22.

## Defining feisty

From Mr D. Langlands  
Sir, Mrs P. D. Playle-Mitchell's view of the word feisty (letter, July 19), especially as applied to "some admirable women", seems to owe more to wishful thinking than to precision.

The *New Dictionary of American Slang* (Harper & Row, 1986), based on Wentworth and Flexner's *Dictionary of American Slang*, defines feisty as "truculent; irascible... [it Southern dialect, a small, worthless cur, esp a lapdog on which the owner's flatulence could be blamed]".

Yours truly,  
D. LANGLANDS,  
Hinton Ampner House,  
Alresford, Hampshire.

From Professor H. MacL. Currie

Sir, In German *feist* = "fat, stout, plump". The essential idea behind feisty, defined in dictionaries as "excitable, irritable, touchy, aggressive, spirited, etc.", seems to be that the person thus described is not easy-going, does not take things lying down, is not a push-over. Mass or bulk can often suggest immovability. This could be the semantic notion inherent in feisty, which perhaps joined the American language through the highly expressive Yiddish.

It is interesting, too, to note the definitions of stout, as in *Chambers English Dictionary*: "resolute; dauntless; vigorous; enduring; robust; strong; thick fat."

Yours truly,  
H. MACL. CURRIE,  
25 West Street, Yarm, Cleveland.  
July 19.

## Cameras in court

From Mr John Junkin

Sir, I see from ITN that courts may be televised. Of course television cameras must be allowed in. We must never stand in the way of progress, especially that of television. Next, may I suggest a verdict reached by a phone-in from the viewers? And a weekly prize for anyone who forecasts six consecutive verdicts? *Judge for a Day* has a ring to it, don't you think?

Yours etc,  
JOHN JUNKIN,  
John's Cleebe,  
Wendover, Buckinghamshire.

## Reasoning behind the Elliott verdict

From Mr David Kemp, QC

Sir, Many laymen instinctively react to the acquittal of Joseph Elliott, who fatally stabbed a man who had accused him for slashing tyres, with the anger expressed in your leader of July 15. "This law is an ass". This is also the reaction of some of your correspondents (July 19). Why?

Because on an objective view of the facts the verdict seems absurd. But the criterion to be applied under the law is not an objective criterion. It is subjective. If the killer, however unreasonably, believes that his act is a reasonable act of self-defence, he is entitled to be acquitted.

That rule of law, combined with the rule that the prosecution must prove that the defendant did not act in self-defence, may explain the guile to prey on the innocent for the enrichment of the evil.

Should the law be altered in one or more of the following ways? Should the criterion be an objective one — that the jury should decide whether in the circumstances the defendant's act was a reasonable act of self-defence? Or if the criterion is to remain subjective, should the defendant's belief have to be a reasonable belief? Or, more fundamentally, should the defendant have to prove that he was acting in reasonable self-defence?

These would be very significant changes of the law, not to be lightly entertained. But some such change may be required to avoid verdicts such as that which you have criticised.

Yours faithfully,  
DAVID KEMP,  
4 Raymond Buildings,  
Gray's Inn, WCL,  
July 20.

From Mr A. C. Geddes

Sir, So the jury in the Elliott case decided that they were not satisfied that the defendant had not acted in self-defence, a verdict that has been condemned as outrageous by newspaper editors and journalists everywhere.

I wonder if the jury were uniquely silly, uniquely perverse, or that they simply made up their minds as 12 ordinarily reasonable men and women on the evidence they had heard and which the journalists had not.

Yours faithfully,  
ANDREW GEDDES,  
2 Essex Court, Temple, EC4,  
July 15.

From Mr Leslie Shield

Sir, Mr David Fairbairn's letter (July 19) criticises the judge by referring to his summing-up and ruling in the

## NIH syndrome?

From Professor Sir Andrew Huxley

Sir, Has everybody forgotten the sulphonamide antibacterial drugs? The article by Nigel Hawkes ("Worms in the Big Apple", July 13) speaks of "penicillin and its successors" as having ended the days when "people routinely died of bacterial infections such as pneumococcal pneumonia, staphylococcal infections, and bacterial meningitis".

The dye Protosil, synthesised by G. Farberindustrie in 1932, was found by Gerhard Domagk to cure certain bacterial infections in mice and was soon hailed as a wonder drug, curing almost every patient with the deadly streptococcal infections such as puerperal fever, erysipelas and scarlet fever. The crystals developed from Protosil — sulphanilamide and its many derivatives — were also effective, in a high degree against pneumococcal pneumonia and bacterial meningitis, and in varying degrees against staphylococcal and many other bacterial infections, long before penicillin was brought into use in 1943.

## Investment in talent

From Professor Anthony Field

Sir, Your leader (July 13) refers to the tribute which *Sunset Boulevard*, the film, paid to earlier movies, and further tribute that *Sunset Boulevard*, the musical, pays to the film. You quote the line, "I am big, it's pictures that got small" and hope that the West End will not, in its turn, "get small".

The talents that went to create this new musical represent the combined experience of the investment this country has put into them: whether it was Christopher Hampton (book and lyrics), whose training was as resident dramatist at the English Stage Company, Trevor Nunn (the director) and John Napier (designer), both from the Royal Shakespeare Company, An-

thony Powell (costumes), from Sadler's Wells Opera, or the 20 members of the cast who have learned their profession at Arts Council theatres in Hampstead, Colchester, Plymouth, Bromley, Cambridge, Cheltenham, Greenwich, Sheffield, Newcastle, Richmond, Exeter, Leicester, Manchester, Derby, Stoke, Worcester, Stratford East, Liverpool and with touring and fringe companies.

Without continued government investment in the Arts Council, the rich dividends to the UK in tourism and tax revenue from productions such as *Sunset Boulevard* all over the world will no longer be possible.

Yours faithfully,  
ANTHONY FIELD,  
152 Cromwell Tower, Barbican, EC2.

From Mr David R. Hingston  
Sir, Mr Julian Spalter (letter, July 19) suggests that if the Scottish "not proven" verdict had been available to the jury trying Joseph Elliott they could have used it to enable him to be retried later on the same charge if new evidence subsequently came to light. This is simply wrong.

A verdict of "not proven" concludes the matter as finally as does a verdict of "not guilty" and, accordingly, the accused cannot be retried on the same charge or an amended charge relating to the same matter. A poll conducted for the BBC this year showed that the expressed misunderstanding of the law was not only widely held in Scotland but was also held by many who had been jurors.

The existence of the "not proven" verdict has been criticised as an unsatisfactory anachronism, and the Scottish Office is currently examining the problem.

Yours faithfully,  
DAVID R. HINGSTON,  
16 Braepark, Munloch, Ross-shire,  
July 20.

From Mr Gavin Littaur

Sir, Perhaps the law is not always an ass. If, instead, Mr Robert Osborne had, in reasonable self-defence, killed the knife-wielding Mr Elliott with one "unlucky" blow of his hammer, would he not have been acquitted?

After all, the law gives one the right to defend oneself and to use such force as is reasonable in the circumstances. Justice cannot be seen to favour criminals over courageous, law-abiding citizens with a social conscience.

Yours faithfully,  
GAVIN LITTAUR,  
24 Stormont Road, Highgate, N6,  
July 16.

Penicillin and its successors were, of course, a further advance of immense importance, both for their effectiveness against a wider range of infections, for their greater speed of action and for their freedom from unwanted side-effects, but the introduction of the sulphonamides came first and was at least equally important.

Is it possible that sulphonamides are forgotten in this country because of the NIH ("not invented here") syndrome? Domagk, of Münster in Germany, was awarded a Nobel prize in 1939 but was forced by the Gestapo to decline it, as Hitler had been offended by the award of the Nobel Peace Prize in 1936 to Carl von Ossietzky, an outspoken opponent of Nazism.

The discovery and development of penicillin by Fleming, Chain and Florey in Britain (Nobel prize, 1945), together with pharmaceutical companies in the USA, fully deserves the fame it has achieved, but this is no reason to forget Domagk and Protosil.

Yours faithfully,  
ANDREW HUXLEY,  
Trinity College, Cambridge.

From Mrs Shirley Andrews  
Sir, I was lucky enough to meet Ruth Lady Fernoy two years ago (Obituary, July 8). It was at St James's Palace at the meeting of the Queen Mary's Clothing Guild, over which the Queen Mother presides. I was with the two head girls from the small school where I teach.

Surrounded by gilt chairs and huge paintings of Hanoverian monarchs, we stood uncomfortably. Not for long. We were greeted by a small, friendly woman, cheerily talkative.

"Are you from Roedean? No, of course you wouldn't be. You're on time."

Magically, she put us at our ease, and led us to the best seats in the room.

Yours sincerely,  
SHIRLEY ANDREWS,  
4 Watford Close, Cranley Road,  
Guildford, Surrey,  
July 9.

From Mr Brian Pannett  
Sir, The government's difficulties in finding a comfortable position over Maastricht must seem trivial to Lord Rees-Mogg's Yorkshire terrier bitch, Bella, when "keeping her nightly appointment with a lamp-post" (Daily, July 21).

Yours etc,  
BRIAN PANNETT,  
15 Lake Road,  
Chandler's Ford, Hampshire.

## Voting rights for trade unionists

From Mr Frank Allaun

Sir, I greatly regret that my former colleague Roy Hattersley should refer to trade union leaders as "barons" in his article, "Block voting blocks progress" (July 16). That is, of course, the view taken by almost all the British media today — but it is untrue and unfair.

A few days ago I returned from the Transport and General Workers' Union conference, at which all 700 delegates were rank-and-file lay members. Not a single official had a vote. This applies throughout the union, at branch, district, national and executive council levels, as it does in most trade unions.

Bill Morris, the general secretary, in his speech strongly supported the present links between the Labour party and the unions. It was, however, the delegates who decided. When the vote was taken it was overwhelming. My impression was that only a dozen opposed the motion. The same decision has been taken, equally democratically, in five other large unions.

I do not accept Mr Hattersley's belief that the association of the unions and the party is damaging to the latter. That view lies behind the attempts of the "modernisers" to end the alliance. They should read the recent opinion polls which show that the great majority of the electorate support the unions today.

Similarly the pundits claim it is indefensible that one man should hold up a card representing hundreds of thousands of his members at the party conference. They ignore the fact that most big issues have been discussed and voted on well before the conference, in branches, districts, and nationally at the unions' annual conferences. It would be grossly unfair to 4.5 million affiliated trade unionists who pay the political levy to the party to refuse their collective votes at conference or in selecting parliamentary candidates and the party leader.

We shall maintain all the existing links. The ordinary man and woman is entitled to have the union's industrial protection and the party's political protection. The association is of mutual benefit. It keeps the Labour leaders' feet on the ground, on the side of those who have to work for their living. It is good for the partnership, for the country, for democracy itself.

Yours sincerely,  
FRANK ALLAUN  
(Labour MP for East Salford, 1955-83),  
11 Eastleigh Road,  
Manchester 25,  
July 16.

## Arms to Iraq

From Lord Kilbracken

Sir, I was one of those who, in the words of Sir David Miers, of the Foreign Office (report, July 20), was "given the usual bland answer" (in my case, to a parliamentary question in May 1989) that existing... guidelines on arms exports to Iraq remained in force, even though this was not an accurate reflection of what was happening". He added: "It would have been much better if we had given a fuller reply."

It would help to make amends for this deceit if such a reply could now be given, by revealing the extent to which the guidelines were changed, especially when this information must have been passed at the time to the arms dealers, though concealed from Parliament.

Yours faithfully,  
JOHN KILBRACKEN,  
House of Lords,  
July 20.

## Put at ease

From Mrs Shirley Andrews

Sir, I was lucky enough to meet Ruth Lady Fernoy two years ago (Obituary, July 8). It was at St James's Palace at the meeting of the Queen Mary's Clothing Guild, over which the Queen Mother presides. I was with the two head girls from the small school where I teach.

Surrounded by gilt chairs and huge paintings of Hanoverian monarchs, we stood uncomfortably. Not for long. We were greeted by a small, friendly woman, cheerily talkative.

"Are you from Roedean? No, of course you wouldn't be. You're on time."

Magically, she put us at our ease, and led us to the best seats in the room.

Yours sincerely,  
SHIRLEY ANDREWS,  
4 Watford Close, Cranley Road,  
Guildford, Surrey,  
July 9.

## Awkward manoeuvre

From Mr Brian Pannett

Sir, The government's difficulties in finding a comfortable position over Maastricht must seem trivial to Lord Rees-Mogg's Yorkshire terrier bitch, Bella, when "keeping her nightly appointment with a lamp-post" (Daily, July 21).

Yours etc,  
BRIAN PANNETT,  
15 Lake Road,  
Chandler's Ford, Hampshire.







**SUSAN VARAH**

... that in nearly 30 years it was  
and most uncomfortable meeting of  
unmitte he had known. He said  
no hint that the announcement  
He saw it, in the sadness of the  
marking the end of an epoch in  
his life when high integrity and  
our country abode all else ...

A few days Sir Alec had been  
perceive that he no longer had a  
behind him, nor a completely  
and therefore he had to judge  
be the best time to go. He sensed  
leadership still in question, the  
ence in October might be as  
that in 1963 when Mr Macmillan  
nder ...

- 
- 
-



## NEWS

## Major bids for Ulster backing

John Major bluntly told Conservative MPs that he intended to ratify the Maastricht treaty whether he lost or won the critical Commons vote on the social chapter.

In a dramatic public appeal to his party, Mr Major gave a warning that he would not allow last night's vote to frustrate the will of Parliament that the treaty should be ratified. He then delivered a fierce plea for loyalty at a closed meeting of the 1922 Committee of backbenchers. Pages 1, 2

## ERM plunged into crisis

The European exchange-rate mechanism was in deep crisis as waves of selling battered the system and currency dealers speculated that European central banks will be forced into announcing a temporary suspension of current exchange rates within days. Page 1

## Charge changed

Sandra Gregory, a British woman accused of drug-smuggling, is facing the death penalty in Thailand after the charge against her was altered at the last minute. Pages 1, 3

## Losing out

The Church of England lost £800 million over the four years to 1992, mainly through ill-judged investments in commercial and retail property. Page 1

## Broadcast guidelines

Television programme makers have been issued with strict new guidelines on screen violence in response to growing public concern about its effect on young viewers. Page 3

## Detained indefinitely

Robin Pask, who edited the notorious killing of Dr Elizabeth Howe, an Open University lecturer, was ordered to be detained indefinitely in a secure hospital after a jury found he was mentally incapable of standing trial. Page 3

## M25 go-ahead

The most congested section of the M25, which is also the busiest road in Europe, is to be transformed into a 14-lane American-style highway, John MacGregor announced. Page 4

## Better outlook

Weather forecasts are becoming more accurate, with promises of even more improvements over the next two years, covering

## Chinese unearth women warriors

Fifty recently discovered 2,000-year-old terracotta statues of women warriors have been described by Chinese archaeologists as second only in importance to the 6,000 Qin dynasty terracotta soldiers and horses unearthed near the ancient capital Xian in earlier this century. The warriors are wearing wooden armour and holding swords. Page 12

everything from summer storms to those notorious leaves on British Rail lines. Page 5

## Staying apart

Beleaguered by what they believe are destructive influences, the leaders of Britain's 160,000-strong Chinese community are trying to isolate their young people from "decadent" British culture. Page 7

## Tajik defence

Abdulkhalik Abdulajonov, Tajikistan's prime minister, breaks into a heavy sweat as soon as the unwelcome topics of his government's stability and the build-up of rebels on the Afghanistan border are broached. Page 10

## Boycott threatened

Ejup Ganic, the vice-president of Bosnia, said his government would boycott the renewed peace talks in Geneva after rebel Serbs bombed Sarajevo, killing at least seven people and wounding 38. Page 11

## Japanese tax plea

Shin Kanemaru, the fallen "godfather" and former vice-president of Japan's Liberal Democratic Party, pleaded not guilty to charges of evading more than £5 million in taxes. Page 12

## Deepening gloom

Six months after the euphoria and optimism of President Clinton's inauguration, White House morale has collapsed yet further after the suicide of Vincent Foster, the president's childhood friend and deputy counsel. Page 13



Brothers in arms: Lieutenant Edward Hamilton-Russell, left, wearing the uniform of the Life Guards, with Lieutenant Mark Hamilton-Russell, in the attire of the Blues and Royals, for the changing of the guard in Horse Guards Parade yesterday

## BUSINESS

**Motoring ahead:** Car production in Britain jumped in June to the highest monthly total since November 1990 as manufacturers accelerated work in anticipation of abloom in August when the new L-registration plate comes in. Page 22

**Sterling strong:** The pound scored further gains against the German mark as upheavals continued in the European monetary system to close at DM2.5846, up 1.12 pence. The FT-SE 100 share index rose 6.0 to 2,820.1. Page 24

**Forex disclosures:** All financial advisers selling life assurance must disclose commissions at the point of sale, Kenneth Clarke, the Chancellor, ordered yesterday. Page 21

**Tour de France:** Italy's Claudio Chiappucci surged from the back of a three-man sprint to win his first stage of this year's race. He passed compatriot Massimo Ghirotto and Spain's Jon Unzuaga in the final 100m of the race from Tarbes to Pau. Page 35

**Cycling:** Chris Boardman, the Olympic 4,000 metres pursuit champion, will today in Bordeaux attempt to break the world one-hour unpaced record set last Saturday by Graeme Obree, of Scotland. Page 38

**Football:** Chelsea's Andy Townsend, the Republic of Ireland midfielder, completed his £2 million move to Aston Villa. Page 40

**Taking a break:** George Bush spent August manically "recreating" in Maine. Ronald Reagan vanished to his Californian ranch — where does Mr Clinton go. Page 15

**Back from the brink:** Julia Llewellyn Smith meets the people transforming Broadwater Farm estate in north London. Page 14

**Switching off:** Why are the middle-classes turning off TV? Daniel Johnson investigates. Page 14

**Double take:** You proudly drive off in your new car — and see another make that looks identical. Kevin Eason explains. Page 33

**Flanders fervour:** A revelatory exhibition at the Fitzwilliam Museum in Cambridge displays some of the finest medieval Flemish art in British collections. Page 29

**Hendrix, for strings:** The Kronos String Quartet opened their four-day festival at the Barbican Centre in London with a wide-ranging programme of music that included a Jimi Hendrix number. "Foxy Lady". Page 29

**Rock on Friday:** Now they are writing these about Sinead O'Connor and analysing James Brown as a cultural icon. What will the pop academics, gathered in California for an annual conference, think of next? Page 31

## PEOPLE IN THE NEWS



Kiichi Miyazawa announced his resignation to take responsibility for his party's failure to win a majority in last Sunday's election. Page 12



A car salesman who denies murdering a customer boasted that Gillian Bennett had invited him into her flat for sex, an Old Bailey jury was told. Page 3



David Boon made his third century of the series and the 17th of his Test career as Australia's batsmen charged to 307 for three at Headingley. Page 40

## THE TIMES TOMORROW

## Be a zoo keeper for a day

Great prizes to be won in our zoo picture contest — and a way to keep your budding artists amused in the holidays

## Sing a song of sheep

Thanks to the creativity of Times readers, daggings — sheep is no longer the unsung farming chore, as Paul Heiney reports

## Following the Fab Four

In the Magazine, photographer Terence Spencer's intimate images, never seen before, of life on the road with the Beatles

Caitlin Moran, teenage columnist of *The Times*, co-hosts a new pop music show which promises to cut reveal performers for what they are. *Naked City* (Channel 4, 11.05pm). Page 39

## South of the border

Moscow is being drawn into the Great Game of feudal clans and fundamentalist power struggles that for generations have drenched Russia's southern flank in blood. Page 17

## Back to the title

Anglicanism can no longer depend on the proceeds of inherited wealth: four hundred years after the Reformation, it may be time for something closer to the medieval time. Page 17

## Here is the forecast

The Met Office should recognise that its business is folk poetry and provocation, not accuracy. Every body else does. Page 17

## BERNARD LEVIN

Auberon Waugh, of course, goes back so many generations that his very surname is in doubt; some say he is really Wudge, while others declare it should be Whong; whatever it is, there can be no doubt that his ancestors robbed churches for Charles I, and possibly for Cromwell too. Page 16

## ANTHONY LESTER

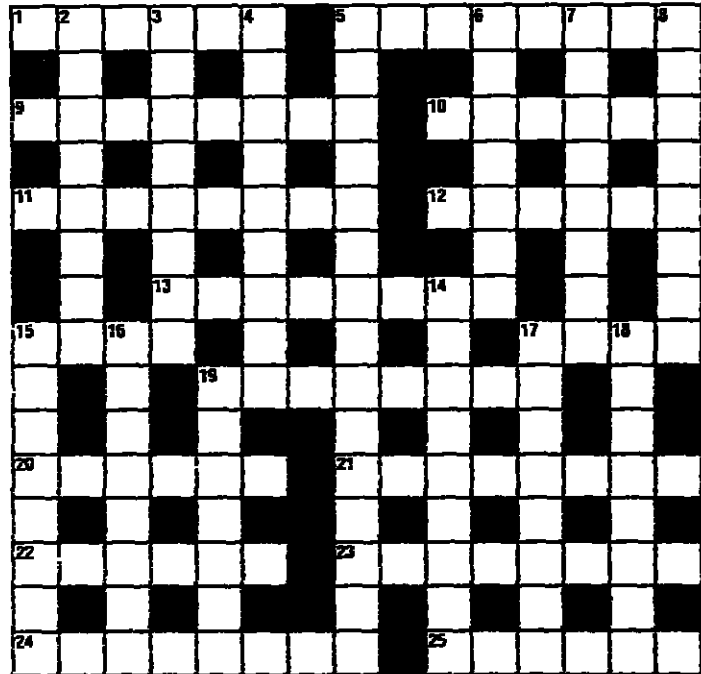
Article 4 of the Act of Settlement of 1700 described the laws of England as "the birthright of the people", and confirmed the duty of the Queen's ministers to administer government according to law. Our courts require no lessons from the Speaker about the rule of law in a democratic society. Page 16

A former MP argues that trade unionists should keep Labour party voting rights. Page 17

It is in no one's interest to encourage an arms race in Asia, or to keep the Russian weapons industry running full blast, but these are the inevitable consequences of the West's shortsighted policy of making Russia's entry into the world markets difficult. *The Wall Street Journal*

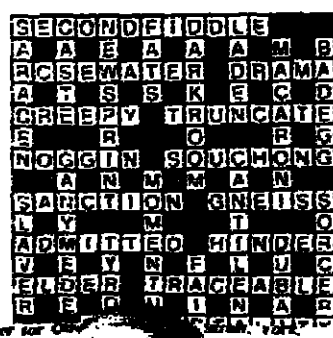
Japan's politics became a bit more democratic on Sunday, but the old-line politicians could still have a great deal of say over what happens next. *The Washington Post*

## THE TIMES CROSSWORD NO 19,290



- ACROSS**
- 1 Syde notice at this location (6).
  - 5 He sides with worker after pay agreement abandoned (8).
  - 9 Approach to young lady not quite successful (4,4).
  - 10 One likely to cope with shocks (6).
  - 11 Climber has to hold fast in an airline (8).
  - 12 Beginner in comic opera shows promise (6).
  - 13 Appreciative after adjustment in returned hearing aid (8).
  - 15 Anglers' odd components used for years (4).
  - 17 Building with a door one shouldn't miss (4).
  - 19 Shopkeeper submitting an account (8).
  - 20 Wise, like some inhabitants of 17ac (6).
  - 21 Ro: al engagement to go round the east's reciprocal response (8).
  - 22 Mum: accepting volunteers to achieve reform of offspring (6).
  - 23 Resolution lost? (8).
  - 24 Old port run by U.S. City Directorate (6).
  - 25 Import of the French school rejected (8).
- DOWN**
- 2 Living agreeably in row — Georgian originally (8).
  - 3 Desires to forlorn year's salary (6).
  - 4 Take out bird in superior cage (9).
  - 5 Appeal for funds when one's hard up! That's out of order (4,3,3,5).
  - 6 It's an awful effort to traipse round the state (7).
  - 7 In a bus, raise hat to a suburban development (8).
  - 8 Craquerer prostrating Kent from Viking perhaps (8).
  - 14 Student gets in free, wanting education (9).
  - 15 Exceptional scholar upset over new examination about end of term (8).
  - 16 Can't make out as one of The Royals? (8).
  - 17 Relatives from Plymouth, perhaps (8).
  - 18 Fragrant gift accepted in payment (8).
  - 19 Awful riots to get such a dish (7).

## Solution to Puzzle No 19,289



## TIMES WEATHERCALL

For the latest region by region forecast, 24 hours a day, dial 0931 500 followed by the appropriate code.

Greater London	201
North-Surrey-Sussex	202
Devon & Cornwall	203
Wiltshire & Dorset	204
West Midlands	205
East Midlands	206
North-Suffolk-Cambs	207
West Mid & Shropshire	208
South-Sussex	209
Central Scotland	210
East Scotland	211
West Scotland	212
North-South Wales	213
South Wales	214
London & SE	215
W & S	216
W & S	217
W & S	218
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W & S	240

Weathercall is charged at 25p per minute (cheap rate) and 40p per minute at all other times.

## AA ROADWATCH

For the latest AA traffic and road works information, 24 hours a day, dial 0300 401 followed by the appropriate code.

London & SE	201
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W & S	203
W & S	204
W & S	205
W & S	206
W & S	207
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W & S	209
W & S	210
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W & S	240

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## WINTER SPORTS, SUMMER SUN, ALL-STAR BREAKS

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## Scotland and Northern Ireland

will have a wet start but the rain will become more showery during the afternoon with some brighter weather developing. Most of England and Wales will have a dry, misty start but central and southeastern parts will soon brighten up. Western parts will remain cloudy with outbreaks of rain or drizzle. Outlook: patchy rain in the south clearing, then bright spells and showers for the whole country.

## METEOROLOGICAL

Monday: 1-4, 10-12, 14-16, 18-20, 22-24, 26-28, 30-32, 34-36, 38-40, 42-44, 46-48, 50-52, 54-56, 58-60, 62-64, 66-68, 70-72, 74-76, 78-80, 82-84, 86-88, 90-92, 94-96, 98-100, 102-104, 106-108, 110-112, 114-116, 118-120, 122-124, 126-128, 130-132, 134-136, 138-140, 142-144, 146-148, 150-152, 154-156, 158-160, 162-164, 166-168, 170-172, 174-176, 178-180, 182-184, 186-188, 190-192, 194-196, 198-200, 202-204, 206-208, 210-212, 214-216, 218-220, 222-224, 226-228, 230-232, 234-236, 238-240, 242-244, 246-248, 250-252, 254-256, 258-260, 262-264, 266-268, 270-272, 274-276, 278-280, 282-284, 286-288, 290-292, 294-296, 298-300, 302-304, 306-308, 310-312, 314-316, 318-320, 322-324, 326-328, 330-332, 334-336, 338-340, 342-344, 346-348, 350-352, 354-356, 358-360, 362-364, 366-368, 370-372, 374-376, 378-380, 382-384, 386-388, 390-392, 394-396, 398-400, 402-404, 406-408, 410-412, 414-416, 418-420, 422-424, 426-428, 430-432, 434-436, 438-440, 442-444, 446-448, 450-452, 454-456, 458-460, 462-464, 466-468, 470-472, 474-476, 478-480, 482-484, 486-488, 490-492, 494-496, 498-500, 502-504, 506-508, 510-512, 514-516, 518-520, 522-524, 526-528, 530-532, 534-536, 538-540, 542-544, 546-548, 550-552, 554-556, 558-560, 562-564, 566-568, 570-572, 574-576, 578-580, 582-584, 586-588, 590-592, 594-596, 598-600, 602-604, 606-608, 610-612, 614-616, 618-620, 622-624, 626-628, 630-632, 634-636, 638-640, 642-644, 646-648, 650-652, 654-656, 658-660, 662-664, 666-668, 670-672, 674-676, 678-680, 682-684, 686-688, 690-692, 694-696, 698-700, 702-704, 706-708, 710-712, 714-716, 718-720, 722-724, 726-728, 730-732, 734-736, 738-740, 742-744, 746-748, 750-752, 754-756, 758-760, 762-764, 766-768, 770-772, 774-776, 778-780, 782-784, 786-788, 790-792, 794-796, 798-800, 802-804, 806-808, 810-812, 814-816, 818-820, 822-824, 826-828, 830-832, 834-836, 838-840, 842-844, 846-848, 850-852, 854-856, 858-860, 862-864, 866-868, 870-872, 874-876, 878-880, 882-884, 886-888, 890-892, 894-896, 898-900, 902-904, 906-908, 910-912, 914-916, 918-920, 922-924, 926-928, 930-932, 934-936, 938-940, 942-944, 946-948, 950-952, 954-956, 958-960, 962-964, 966-968, 970-972, 974-976, 978-980, 982-984, 986-988, 990-992, 994-996, 998-1000, 1002-1004, 1006-1008, 1010-1012, 1014-1016, 1018-1020, 1022-1024, 1026-1028, 1030-1032, 1034-1036, 1038-1040, 1042-1044, 1046-1048, 1050-1052, 1054-1056, 1058-1060, 1062-1064, 1066-1068, 1070-1072, 1074-1076, 1078-1080, 1082-1084, 1086-1088, 1090-1092, 1094-1096, 1098-1100, 1102-1104, 1106-1108, 1110-1112, 1114-1116, 1118-1120, 1122-1124, 1126-1128, 1130-1132, 1134-1136, 1138-1140, 1142-1144, 1146-1148, 1150-1152, 1154-1156, 1158-1160, 1162-1164, 1166-1168, 1170-1172, 1174-1176, 1178-1180, 1182-1184, 1186-1188, 1190-1192, 1194-1196, 1198-1200, 1202-1204, 1206-1208, 1210-1212, 1214-1216, 1218-1220, 1222-1224, 1226-1228, 1230-1232, 1234-1236, 1238-1240, 1242-1244, 1246-1248, 1250-1252, 1254-1256, 1258-1260, 1262-1264, 1266-1268, 1270-1272, 1274-1276, 1278-1280, 1282-1284, 1286-1288, 1290-1292, 1294-1296, 1298-1300, 1302-1304, 1306-1308, 1310-1312, 1314-1316, 1318-1320, 1322-1324, 1326-1328, 1330-1332, 1334-1336, 1338-1340, 1342-1344, 1346-1348, 1350-1352, 1354-1356, 1358-1360, 1362-1364, 1366-1368, 1370-1372, 1374-1376, 1378-1380, 1382-1384, 1386-1388, 1390-1392, 1394-1396, 1398-1400, 1



MOTORING 33

The new Ford — or should it be Nissan?

ARTS 29-31

Moscow calling: Barry Foster goes Russian for the RSC

SPORT 35-40

Arnie's army on the march at Royal Lytham

EXPLORING VIRTUAL REALITY  
Infotech, pages 27, 28

# THE TIMES

FRIDAY JULY 23 1993

BUSINESS EDITOR  
Robert Ballantyne

BUSINESS TODAY

Defending

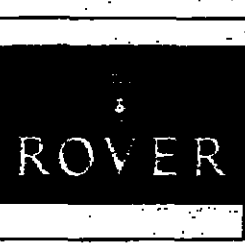


National Power has defended a 9 per cent price increase in the wholesale market for electricity  
Page 23

Appealing

Lorho won Appeal Court permission to sue for loss over an alleged dirty tricks campaign  
Page 23

Motoring



British car production is running at its highest level for two and a half years ready for an L-plate August boom  
Page 22

THE POUND  
US \$ 1.5117 (+0.0043)  
German mark 2.5848 (+0.0112)  
Exchange Index 82.2 (+0.1)  
Bank of England official close (4pm)

STOCK MARKET  
FT-SE 100 2820.1 (+6.0)  
Dow Jones 3549.89 (+8.71)  
Nikkei Ave 20115.81 (+34.30)

INTEREST RATES  
London Bank Base 6%  
3-month interbank 8%  
US Federal Funds 5 1/4%  
3-month Treasury Bills 3.06-3.07%  
Long Bond 6.61%

CURRENCIES  
New York: London: 1.5080\* 1.5055  
\$DM 1.7075\* 1.5744  
\$Swf 1.5030\* 1.2821  
\$Fr 1.5870\* 1.5070  
\$Yen 108.85\* 161.02  
\$SDR 1.0889 1.3254  
London Foreign market close

GOLD  
London Fixing 85:  
AM 389.00 PM 389.15  
Close 390.40-390.50  
New York: 390.75-391.25\*  
London Foreign market close

RETAIL PRICES  
RPI 141.0 June (1.2%)  
\* Denotes midday trading price

## Banks intervene as ERM buckles

By JANET BUSH AND COLIN NARBROUGH

EUROPE'S exchange-rate mechanism buckled badly yesterday in its worst crisis since September, prompting emergency measures by several governments to turn back a heavy flood of speculation against the system.

The franc came under heavy fire, forcing the Bank of France to announce stringent measures to contain speculation. The French central bank and the Bundesbank were reported to have intervened considerably throughout the day. Currency dealers estimated that the Bank of France, on its own, had spent DM10-DM15 billion. The Bundesbank confirmed it was intervening.

A spokeswoman for the French central bank was forced to deny a wave of market rumours that it was preparing a news conference to announce a sharp rise in interest rates or a devaluation. The Bank of France used the same tactics it employed last September and in January. It suspended its five-day to ten-day repurchase rate for commercial bank customers and instead offered to lend cash overnight at the same rate of 7.75 per cent. This gives the

### Heavy intervention on the forex markets by both French and German central banks papered over the widening cracks in the European exchange-rate mechanism

Bank a powerful tool against speculators, and the move pushed French money market interest rates up sharply. By the close yesterday, French rates were about 1.5 per cent above their German equivalents, ending a period of shorted period for France when they traded below German levels.

The intensifying tensions of the system, which last week had focused on the franc and the Danish krone, yesterday spread dangerously to other currencies, including the Portuguese escudo and the Spanish peseta. The escudo fell to its lowest level against the mark since before it joined the ERM, and dealers in Lisbon said they could see no visible means of support against strong speculation.

The Danish central bank yesterday announced a 2 per cent rise in its repurchase rate and limited banks' access to such funds to 30 per cent of their capital. An outbreak of pure speculation against the whole system was seen in a

burst of business in Belgian options.

A Bundesbank source said after the market closed yesterday that he was confident the franc would recover and that its small recovery by the end of the day gave some grounds for hope. However, European central banking sources said that after severe tension all month, yesterday "had seen a definite ratcheting up of pressure". Currency dealers on the continent and in London were uniformly talking of a system that is now very sick.

John Hall, of Swiss Bank Corp, said: "This is more critical than last week. The intensity of pressure on the system is continuing to develop." Another currency economist at a European bank said that yesterday saw, for the first time, "serious speculative interest in breaking up the ERM".

The currency markets believe current parities are unsustainable given the deepening recession in Europe and governments in France and Denmark simply do not have the

option of prolonged periods of higher interest rates to defend current exchange rates.

What is hurting the system now is that time is running out for Europe's recessionary economies and for lower interest rates to relieve them. All depends on whether the Bundesbank is prepared to cut interest rates more aggressively than it feels justified on domestic inflationary grounds.

Crucial for the next few days are regional German inflation figures for July, the first of which may emerge from North Rhine-Westphalia either today or Monday. If the figures show higher inflation growth than in June, hopes of sufficient German rate cuts to save the ERM will fade and prompt even fiercer speculation.

Alison Cottrell, international economist at Midland Global Markets, said: "What is worse about the current crisis... is that there is little left to hope for. Before, there was a Danish referendum or a French election. Now there is just the Bundesbank."

If the consumer price figures are bad, the Bundesbank will probably feel unable to cut until September, after the summer recess, and that would be too late for the franc. The markets were already talking about temporary suspension of the ERM yesterday.

Yesterday's explosion of speculative selling was sparked off by news of a much higher than expected rise in German M3 money supply of 7.1 per cent, which the markets interpreted as weighing heavily against rate cuts next week. The franc scarcely recovered any ground. At the close, it was quoted at F3.4180 to the mark, hardly changed from Wednesday's close. Sterling continued to profit from disarray in the ERM and improved economic news, climbing to 82.2 on its trade weighted index from 82.1. It gained another pence against the mark to close at DM2.5846.

Tempos, page 27

## Bankers rally to Major

By PATRICIA TEHAN  
BANKING CORRESPONDENT



THE heads of Britain's banks threw their weight behind the prime minister ahead of the Maastricht vote, with a warning that it would be "a serious mistake" to graft the Social Chapter on to the country's obligations.

Lord Alexander, chairman of National Westminster, took the lead in gathering signatures for a letter that was faxed to John Major as the prime minister tried to rally backbench support.

The signatories included Andrew Buxton, chairman of Barclays; Sir Nicholas Goodison, chairman of TSB; Sir Robin Ibb, chairman of Lloyds; Bruce Patullo, governor of Bank of Scotland; Lord Stewart, deputy chairman of Standard Chartered; Sir Christopher Tugendhat, chairman of Abbey National; Sir Peter Walters, chairman of Midland; and Lord Younger, chairman of the Royal Bank of Scotland.

In the letter, the bankers said: "We believe it is vital for all of us in this country to play our full part in influencing the future development of Europe, but we in the City also have the greatest interest in the competitiveness of British business and industry. We consider that the Social Chapter would damage this competitiveness."

Mr Major welcomed their support. In what was described by their banks as "a private initiative", the bankers argued that the aims of the Social Chapter were best considered and decided on by individual countries.

"For the European Commission to do so would be a recipe for inflexibility and for a higher regulatory burden," they said.

They added: "The key issues for Europe at present are to complete the single European market, to continue to drive against protectionism, and to improve competitiveness. In addition, this country has, at the moment, a window of competitive opportunity, both within European markets and elsewhere in the world. We must not shackle ourselves from taking full advantage of this opportunity."

Commons drama, page 1



Heavyweight support: Lord Alexander, top, and, above, Lord Younger, Sir Robin Ibb and Sir Nicholas Goodison

### Recovery is broad-based

BRITISH business is now seeing a broadly based but still hesitant economic recovery, according to the latest industrial survey from the British Chambers of Commerce (Philip Bassett writes).

John Major welcomed the findings as a clear indication that the recovery is underway.

The survey of some 9,000 firms indicated a "gradual, but broadly based recovery", but pointed to key continuing economic weaknesses.

Oxygen of optimism, page 25

## Insurance fees to be disclosed

By SARA MCCONNELL, PERSONAL FINANCE CORRESPONDENT

ALL financial advisers selling life assurance policies will have to disclose their commission or equivalent payment, Kenneth Clarke, the Chancellor, said yesterday.

Mr Clarke insisted that both independent financial advisers (IFAs) and tied agents, including banks, building societies and estate agents should disclose commission.

The Chancellor was responding to an Office of Fair Trading report on a proposed disclosure regime drawn up

last year. The OFT had fought shy of insisting tied agents tell investors their commission.

However, Mr Clarke said: "I have concluded that to require automatic disclosure of commission only by IFAs would distort the market further and would be likely to result in a significant reduction in competition by encouraging IFAs to become tied." He went on: "Upfront commissions are of significant size and vary substantially both for similar products between

life offices and between different products supplied by the same life office. Especially where the investor is not fully aware of the level of commission received, there is a serious risk of advice being biased by the level of commission received."

As the rules stand, investors have to ask what commission an IFA is getting if they want to know when they are actually buying a policy. Those buying from tied agents do not have even this right.

## Pharmaceutical firms hit a downer

Ethical drugs are almost as emotional a subject as the illegal narcotic kind, as the board of Boots discovered at its annual meeting yesterday. Emotions over the pharmaceutical industry are almost as volatile in the financial world, with less reason. Among the lesser protests at Boots was over the withdrawal of Manoplex, a drug for severe heart trouble that proved too dangerous — a reminder that a business bringing untold benefits to the world can also do great harm.

Manoplex was reckoned capable of making £100 million a year profit for the retail and medicines group, doubling profits from prescription drugs, now about a quarter of the group total. Boots was swiftly told by share analysts to get out of the business as soon as possible, an odd priority when Boots turned over £800 million in non-chemicals retailing in 1992-3 at a net loss.

That is typical of the investment world's change of heart. Only a couple of years ago, pharmaceuticals were Britain's most dynamic, highly rated big industry, mainly thanks to Glaxo, which was once seen as one of Britain's most boring big companies but rapidly became one of the most

profitable on the strength of world-beating Zantac. When drugs were the market's favourite drug, the industry was being urged to concentrate on pharmaceuticals and get out of everything else. The merger of broadly spread Beecham with America's diversified SmithKline was based on this thinking, leading to the two companies' other valuable assets being cast off with the enthusiasm of spring-cleaning at a junk shop. Wellcome, which hit the drugs jackpot twice in short order, discarded most of its alternative markets such as animal and environmental health. Fisons had already been transformed by selling bulk businesses to focus mainly on specialised drugs. Fast talking super-salesmen began to replace the cautious folk who used to run drug companies.



GRAHAM SEARJEANT

started independent corporate life with a lower rating than the stock market average. President Clinton's determination to control healthcare costs in America, where the big profits are made from "blockbuster" drugs, has made drug company shares one of the worst investments this year. The search for a workable reform has provided a leitmotif of gloom that lasts longer with every new delay.

Euphoria had already started cracking when Fisons failed to meet production quality standards for exports to America, at an enormous cost. Bad news kept coming, through to the recent profit warning from Medeva, a previously highly rated group put together with others' discarded trifles. Yesterday's court victory by Wellcome over a challenge to the patent of its Retrovir

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**BULLOUGH**, the office furniture group, has seen its profits decimated by restructuring costs at the half-year stage. A £4.7 million write-off sent profits tumbling to just £50,000, compared with £5.9 million last time. Earnings were 0.02p a share, down from 3.12p. The severity of the recession in the office furniture market and the industrial heater business has been far worse than expected by the Leatherhead group. The interim dividend stays at 1.75p a share.

[illegible]



# Lonrho wins right to sue Fayeds for 'dirty tricks campaign'



Dillon: "plague on both"

By JON ASHWORTH

THE war of words between Tiny Rowland and the Fayeds brothers flared again yesterday, when Lonrho won the right to sue for financial loss over an alleged dirty tricks campaign.

An earlier attempt by Lonrho to sue for alleged dirty tricks was struck out in the High Court last year. The Appeal Court yesterday overruled the decision, describing it as "an abuse of the process of the court".

Lord Justice Dillon, sitting with Lords Justices Stuart-Smith and Evans, said that there was a great temptation to say "a plague on both your houses and let not the court's time be wasted with any further litigation between them" — apart from the main court action, scheduled for next year, over the circumstances of the House of

Fraser takeover in 1985. However, Lonrho, he said, had an arguable case that it suffered some financial damage as a result of a "campaign of vilification" by Francesca Pollard, allegedly with the clandestine sponsorship of the Fayeds.

The court was told that Miss Pollard claimed that Mr Rowland and others cheated her of her £40 million inheritance and pursued a campaign against him for five years. She allegedly wrote scurrilous pamphlets and paraded a dummy outside Lonrho's 1991 annual meeting.

Lord Justice Evans remarked that Miss Pollard's campaign matched Mr Rowland's against the Fayeds for "ill-tempered abuse". However, she "burned her cost" and would support the allegation that she and the Fayeds conspired to damage Lonrho. The judges held that Lonrho could sue

over the collapse of a venture with Iranian interests allegedly due to a letter Miss Pollard sent to the Iranian ambassador. Lonrho will also claim the cost of time spent in countering the alleged conspiracy.

The Fayeds may seek leave to appeal to the House of Lords against yesterday's judgment. They claim they have done no more than counter attack, in self-defence, to halt a Lonrho campaign against them.

The court refused to reinstate personal damage claims by Mr Rowland and Sir Edward du Cann, the former Lonrho chairman, which had also been struck out a year ago. The judges ruled that if they and Lonrho wanted to claim damages for injury to reputation or feelings they must launch a separate defamation action.

This week, the Fayeds announced plans to return House of Fraser Stores to the stock

market next spring, after an eight-year absence, in a deal valued at more than £400 million. Harrods, the group flagship, will remain privately owned by the Fayeds.

Lonrho has responded to the move by accusing the Fayeds of stealing an idea it put forward a decade ago. The company proposed separating Harrods from the rest of the department stores group during boardroom acrimony in the early eighties.

Paul Spicer, a Lonrho deputy chairman, accused SG Warburg, adviser to the issue, of cashing in on the scheme. Mr Spicer said: "We studied this idea of demerging back in the early days and proposed it to Warburgs. Now they come popping up with this."

The controversy dates from September 1982, when Lonrho, with two seats on the House of Fraser board, called for the demerger of Harrods. Professor Sir Roland

Smith, chairman, later told shareholders: "It is difficult to over-emphasise the fundamental importance of Harrods to our group. The suggested separation does not involve spinning off an unrelated business but wrenching apart two complementary parts of an integrated retailing group."

Lonrho pressed for demerger until losing to the Fayeds in March 1985. Criticism of the Fayeds grew after damning reports on the House of Fraser takeover by the trade department and the takeover panel.

Brian McGowan, chairman of the newly independent House of Fraser Stores, has said the Fayeds are to end all ties with it. Analysts have expressed concern over the condition of some of the 59 stores, which include Army & Navy, DH Evans and Birns. About 90 per cent of the group's £250 million property portfolio is freehold.

## National Power explains pool bid price rises

By ROSS THOMAN  
INDUSTRIAL CORRESPONDENT

BRITAIN'S biggest generator yesterday laid bare the government's failure to create a fully competitive electricity market.

National Power said the main reason for April's 9 per cent rise in the "pool" short-term market was that "we judged it appropriate to raise our bid prices." The price of raw power has remained close to 2.6p/kwh ever since.

The explanation was issued in response to a pressure from Professor Stephen Littlechild, the power industry regulator, who has launched his third enquiry into pool prices in just two years.

But National Power executives appear confident they can convince him the increase is justified. In a statement, the company, which generates more than a quarter of the power used in England and Wales, said pool prices had been below the cost of producing power since privatisation. Because almost all power was sold through long-term contracts, they were initially prepared to carry the "loss" expecting that prices would rise as the contracts started to run out from April 1.

But the government's energy review, triggered by last autumn's pit closures announcement, had delayed any rise. Once it was over, National Power raised prices "towards levels which more

As the electricity industry regulator launches a third inquiry into pool prices in just two years, National Power seeks to justify a 9 per cent rise in tariffs

realistically reflect the cost of electricity production."

The company added: "If this price were maintained for the rest of the year, then pool revenue would cover our cash operating costs, and would in addition make some contribution towards our ongoing capital investment costs and the servicing of our debt and equity."

National Power says evidence supplied to Oftec, the regulatory body, showed this was "in no way excessive."

But the company also joined its smaller rival, PowerGen, in blaming others for increased instability of prices and a change in their structure.

Like PowerGen, National Power said reinforcement work on the national power transmission system, to accommodate new gas-fired plants in the north of England had prevented use of some of the most efficient plants.

The huge Drax coal station in Yorkshire, Britain's biggest power plant, had been "constrained off" the system, along with the smaller Eggborough station nearby. These stations had been replaced with less efficient, more expensive plant. National Power had recovered its losses, as it was

entitled to do under the rules, the company said.

Sudden rises and falls in pool prices, set every half hour on the basis of bids to supply by generators, were blamed partly on failings in the pool's own computer system which selects plant to run. Both generators agree this is a problem, and the pool executive is investigating the causes.

One possibility, said National Power, was that increased availability of nuclear plants and the addition of new base-load gas-burning plants was driving more flexible coal-burning plant off the system and reducing its ability to adapt to demand fluctuations. Critics have long said the loss of a large amount of coal-burning capacity could make it more difficult to ensure security of power supplies.

Professor Littlechild is expected to produce his own report into the latest pool price rises within weeks. After past problems he changed the licences of both generators. In May he put them on notice that he was willing to trigger an early reference to the Monopolies and Mergers Commission if he thought their behaviour was anti-competitive.



Standing firm: John Pike, left, managing director of WBB, and David Bowden, financial director, who are opposing a bid by Sibelo

## WBB urges rejection of hostile bid

By COLIN CAMPBELL

WATTS Blake Bearn & Co, the ball clays group that faces a £87 million takeover bid at 420p a share from Sibelo, the Belgium silica sand group, is urging shareholders not to accept the hostile bid.

It adds that M&G Investment Management, holding 7 per cent, has no current intention of accepting.

WBB says pre-tax profits for the year ending December will be not less than £8.6 million, an 19 per cent increase over 1992 results and that this year's dividend will be 12 per cent higher at 12p a share. The company, of which John Pike is managing director, says that the offer is inadequate.

The Sibelo bid was prompted by developments earlier this year when one of three shareholder parties, deemed under the takeover code to be in concert, sought to buy a buyer for its 15.6 per cent stake, but failed.

Sibelo, one of the three shareholder parties and owner of 14.8 per cent, said last month that it had arranged to buy out two shareholder stakes and that would take its holding in WBB to 45.2 per cent.

This, in turn, triggered Sibelo's formal bid last month. WBB shares rose 7p to 432p.

Tempus, page 25

## TSB and N&P halt talks

By PATRICIA TEHAN, BANKING CORRESPONDENT

TSB's plan to pull out of its loss-making estate agency business via a joint venture with National & Provincial Building Society has ended.

The two issued brief statements yesterday saying they had terminated talks on setting up a company to manage TSB's 133 estate agencies.

They cited the "genuine differences of opinion on the value of the businesses which emerged during the planning process and the financial implications for the final price."

N&P said: "Our view remains that relationships with estate agencies have the potential to make a significant

contribution to our long-term plans to offer customers convenient access to financial services in the communities where they live and work. We will, therefore continue to seek partners from this sector."

The two had differing views on the speed of the housing market recovery which would affect the performance of the businesses and its value. N&P, Britain's eighth biggest building society, wanted the company as a sales outlet for its financial products as its branch network is concentrated in the North West, Yorkshire and Humberside. Alastair Lyons, N&P finance director, said the collapse of talks is "a disappointment to us".

TSB and N&P revealed their plans for the joint venture in April. The new company would also have sold a range of financial services. The two were thought to be discussing a price of £5 million-£10 million. TSB is thought to have spent £70 million on the chain. TSB said: "We have a policy of defining a real and fair value for assets held by the group and will not sell below that value because we are here to protect shareholders' interests."

Tempus, page 25

## US Aids ruling boosts Wellcome

FROM PHILIP ROBINSON  
IN NEW YORK

VICTORY for Wellcome, the pharmaceutical group, in a four-week US court battle will allow it to dominate the AIDS treatment market with its drug AZT, sold under the brand name Retrovir.

Two American companies and the US Institute of Health had challenged the group's exclusive discovery of AZT. Wellcome sued them when they applied for American government permission to produce a less expensive, generic version of the drug.

Barr Laboratories of Pomona, New York, and Novopharm, a Canadian company, argued that Samuel Broder and Hiroaki Mitsuya, scientists at the National Institute of Health, should be named co-inventors of AZT. They maintained that Wellcome's patent on AZT was invalid because the drug was developed with public money and research.

But Burroughs Wellcome, the drug group's American arm, said its researchers invented AZT without outside help and owned patents that gave the firm a monopoly on it until 2005.

In his ruling, US District Judge Malcolm Howard said: "The court has felt for some time that US law, dictates that Burroughs Wellcome scientists were in fact the sole inventors of AZT."

In London, Wellcome shares rose 29p, to 641p. On Wall Street, they jumped 37.5 cents, to \$95.50.

The case began as a jury trial on June 28, but lawyers subsequently asked the judge to decide the case, taking it out of the jury's hands. There was no immediate indication of whether Barr or Novopharm would lodge an appeal.

Burroughs Wellcome received approval from the US Food and Drug Administration to sell AZT in March 1987. AZT, or azidothymidine, is the most widely used of three AIDS treatments approved in the US.

Wellcome is seeking a new chairman after accepting the early retirement of Sir Alistair Frame on health grounds. Sir Alistair retires on August 31, leaving John Robb, the chief executive, to combine the two top jobs until a new chairman is found.

## Board backs findings on EBRD spending controls

By COLIN NARBROUGH

THE directors of the European Bank for Reconstruction and Development (EBRD) have sought to speed up the reform of the bank's spending controls and management structure. They gave a near-unanimous endorsement to the recommendations of the damning audit committee report published last Friday.

A full board meeting gave approval yesterday to the general thrust of the report's findings on extravagance and lax financial discipline, and called for early action to implement its proposals.

The report, which prompted the abrupt departure last week of Jacques Attali, the former president, proposed a sweeping review of management structure, and of the responsibilities of executives and directors. On budget controls, the report said cost overruns beyond pre-set limits should be reported to the board and thoroughly justified, and that

budget performance was to be measured by relating costs to the volume of business.

Key decisions must await the appointment of a new president, but Ronald Freeman, the acting president, is trying to maintain momentum in EBRD operations in eastern and central Europe, as well as introducing immediate improvements to the day-to-day running of the bank.

Mr Freeman's fear that the political nature of the process for selecting a new president could cause delays proved justified on Wednesday, when the bank was forced to extend by a week the deadline for contenders to put their names forward. The new deadline is next Wednesday.

By last night, only four names were in the ring, with Jacques de Larosiere, governor of the French central bank, considered to front runner. The others are Henning Christophersen, the Danish

European commissioner; Giuliano Amato, the former Italian prime minister; and Leszek Balcerowicz, the former Polish finance minister.

While the extra week could allow more countries to submit contenders, the aim of Anne Wibble, the EBRD's chairman, is to reach broad consensus before the governors start voting. The slippage on the selection timetable could make it difficult to have a president in office by early September, as Mrs Wibble had hoped.

Associates of M Attali in Paris said yesterday that he had struck a deal of immunity from EBRD claims against him in exchange for waiving his £147,000 contractual pay-off. Bank officials commented that M Attali might not have personally negotiated the partial immunity deal he signed on Tuesday, but his lawyer did.

## Animal rights protesters ejected from Boots meeting



Warm words: one of the demonstrators after the fracas. Shareholders were told animal testing was necessary

By MARTIN FLANAGAN

ANIMAL rights activists were ejected forcibly during a stormy Boots annual meeting after continually interrupting the proceedings to protest at the use of animals in drug tests.

The company was also severely criticised for this week's decision to withdraw Manoplax, the heart drug, at a cost of £35 million, and directors were reprimanded over the level of boardroom pay.

Sir James Blyth, chief executive, told shareholders that testing on animals could not be avoided. But of the total cost of about £100 million invested in developing a new drug and launching it on the market, more than 90 per cent was spent on tests on human beings.

Activists said Manoplax

had caused the death of human beings as well as animals. "You've got blood on your hands," one said.

There were also complaints from the floor about the 8 per cent rise in Sir James's pay, to £620,000, along with £190,000 of pension benefits.

Sir Christopher Benson, the chairman, replied that no Boots director was overpaid compared with business counterparts elsewhere. Sir James was paid well because he was "a very important member of the team". It was "absolutely right that the chief executive of this company should be properly rewarded in every respect, including his pension arrangements."

Sir Christopher said that in the first quarter of this financial year, which began on April 1, group sales had

jumped 7.7 per cent, and sales in Boots The Chemists had increased by 5.3 per cent. A "sustained recovery" was also being seen in Harrods, the car accessories-to-bicycles subsidiary, with sales up 10.4 per cent. Out-of-town superstores performed particularly well, with an increase of 17 per cent.

Sir Christopher said Children's World had had another good quarter, with turnover up 15.8 per cent. Sales of Boots Opicians had advanced by 8.6 per cent and those of AG Stanley, the home decorating arm, by 3.2 per cent.

The shares eased 2p to 427p. The group announced the sale for £40.9 million of its French retail offshoot, BHYS, to Altamir.

Graham Scurjeant, page 21



# Investors focus again on the drug companies

### Canadian sales

Low and Bonar, the international packaging group, said that Bonar Inc. its Canadian subsidiary, had sold its Winnipeg Textile business for C\$3 million (£1.56 million). Bonar Inc. has also sold its 50 per cent holding in the Prince Edward Island Bag Company for C\$900,000.

Even Medeva, which earli-

Talk of a bid approach, later denied, enabled Tiphook to recover some of its recent losses, climbing 47p to 244p. Last night, Robert Montague,

series of the Long Gilt rose three ticks to £108<sup>3</sup>/<sub>32</sub> as 45,000 contracts were completed.

**MICHAEL CLARK**

□ **Singapore** — Shares retreated from early highs after profit-taking in index-linked stocks, brokers said. The Straits Times industrial index

DeLuxe Corp.	37%	37%	Mail Service
Detroit Edison	35%	35%	Navigator Int.
Digital Equip.	34%	32%	NED Bancorp.
Dillard Dept. St.	34%	35%	NY Times A
Disney (Walt)	33%	36%	Newmont Mts.
Domination Int.	49%	46	Ning Motow...
Donsley (R)	28%	23%	Mike B.
Dover Corp.	47%	47%	NL Industries
Dow Chemicals	59%	58%	Norstrom

21	21	United Tech	39%	34%
26%	21	Unocal Corp	28%	28%
19%	33%	Upjohn	26%	28%
25%	25	VF Corp	42	42%
52%	52%	WMT Tech	30%	30%
24%	24%	Wal-Mart Stores	25%	29%
59%	59%	Wharfed-Lambert	64%	64%
9%	4%	Wells Fargo	111%	110
26%	21	Westinghouse El	16%	16%

Astra is a leading provider of TFW courses to the 82 Training and Enterprise Councils that administer government training funds in England and Wales. Last year, it trained 80,000 people. The employment department said: "We are talking to Tecs to see what we and they can do." Mr McKillop said accoun-

Although the company provided courses for 12,000 trainees last year, there was no shortage of alternative training organisations, the spokesman said. Astra was privatised three years ago. The government injected £1 million into the former Skill Centre network and handed it over to a group of senior civil servants lead by Stuart Bishell, managing director. Mr Bishell said he "deeply regretted" receivership was necessary.

□ Space Barr and Wellington members' agencies, are forming a company to research the performance of Lloyd's syndicates. SBW Insurance Research will be the first independent researcher of its kind.

	Bank Buy	Bank Sell
Australia \$	2.52	2.12
Austria Sch	19.10	17.80
Belgium F	87.15	87.15
Canada C	2.048	1.888
Denmark Kr	10.58	9.78
France F	9.54	8.54
France F	3.26	2.56
Germany Dm	2.71	2.41
Greece Dr	34.12	34.12
Hong Kong S	12.57	11.37
Ireland P	1.715	1.028
Italy Lira	251.00	226.00
Japan Yen	181.00	162.00
Netherlands Gld	3.055	2.825
Sweden Kr	11.58	10.7
Portugal Esc	263.20	245.50
S Africa R	5.80	4.80
Spain Ptas	165.00	150.00
Sweden Kr	12.83	11.83
Switzerland F	2.95	2.25
U.S.A. \$	17400.0	16400.0
U.S.A. \$	1.508	1.478

Rates for swift deconversion bank  
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 PLC. Different rates apply to travellers'

discounts. Rates are at close of trading

Exchange index compared with 1985 was up at 82.2 (day's range 82.1-82.4)				
SPOT AND FORWARD RATES				
Unit Rates for July 22		Close	1 month	3 month
Brazil	2,9922-2,9932	2,8578-2,9014	1-1/2c	1-1/2c
Canada	54.40-54.40	54.40-54.40	7-7/8c	15/16c
France	9,9890-10,0410	9,9840-10,0060	n/a	n/a
Germany	1,0000-1,0000	1,0000-1,0000	4-4/8c	4-4/8c
Japan	2,1272-2,1272	2,1272-2,1272	1-1/2c	1-1/2c
Switzerland	1,0000-1,0000	1,0000-1,0000	4-4/8c	4-4/8c
United Kingdom	2,0000-2,0000	2,0000-2,0000	1-1/2c	1-1/2c
Italy	203.10-203.10	203.10-203.10	107-10/16c	300-325c
Mexico	1,1111-1,1111	1,1111-1,1111	1-1/2c	1-1/2c
Netherlands	200.00-200.00	200.00-200.00	7-7/8c	2-2/16c
Spain	166.67-166.67	166.67-166.67	0.3-0.4c	0.3-0.4c
Sweden	1,0000-1,0000	1,0000-1,0000	0.3-0.4c	1.10-1.07c
South Africa	1,0000-1,0000	1,0000-1,0000	1-1/2c	1-1/2c
Taiwan	1,0000-1,0000	1,0000-1,0000	1-1/2c	1-1/2c
Thailand	1,0000-1,0000	1,0000-1,0000	1-1/2c	1-1/2c
U.S.	100.00-100.00	100.00-100.00	1-1/2c	1-1/2c
West Germany	1,0000-1,0000	1,0000-1,0000	1-1/2c	1-1/2c
Yemen	1,0000-1,0000	1,0000-1,0000	1-1/2c	1-1/2c
Source: End				
Premium - p; Discount - d; n/a - not available				
DOLLAR SPOT RATES				
Argentina peso*	1,524-1,520			
Argentine dollar	1,524-1,520			
Australia	1,470-1,471			

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# Small firms show addiction to the oxygen of optimism

**Philip Bassett explains how John Major found plenty of cause to be bullish in the latest survey from the British Chambers of Commerce**

At head of last night's crucial Commons vote on the European Social Chapter, John Major found time to proclaim that economic recovery was under way. In the muck of Maastricht, the prime minister welcomed the latest survey on the state of British industry from the British Chambers of Commerce.

In a Commons tense with expectation before the critical vote, Mr Major said the survey's message was "very encouraging" and seemed to be shared by both the service and the manufacturing sector, which are — unusually for large-scale business surveys — both measured by the BCC's quarterly study.

His remarks echoed the upbeat economic assessment of Kenneth Clarke, the Chancellor, in the wake of a clutch of positive economic indicators — from retail sales to output, from the trade deficit to unemployment. Treasury officials struck a similar note yesterday, noting that the BCC survey was in line with other recent reports suggesting that business confidence is high and performance improving.

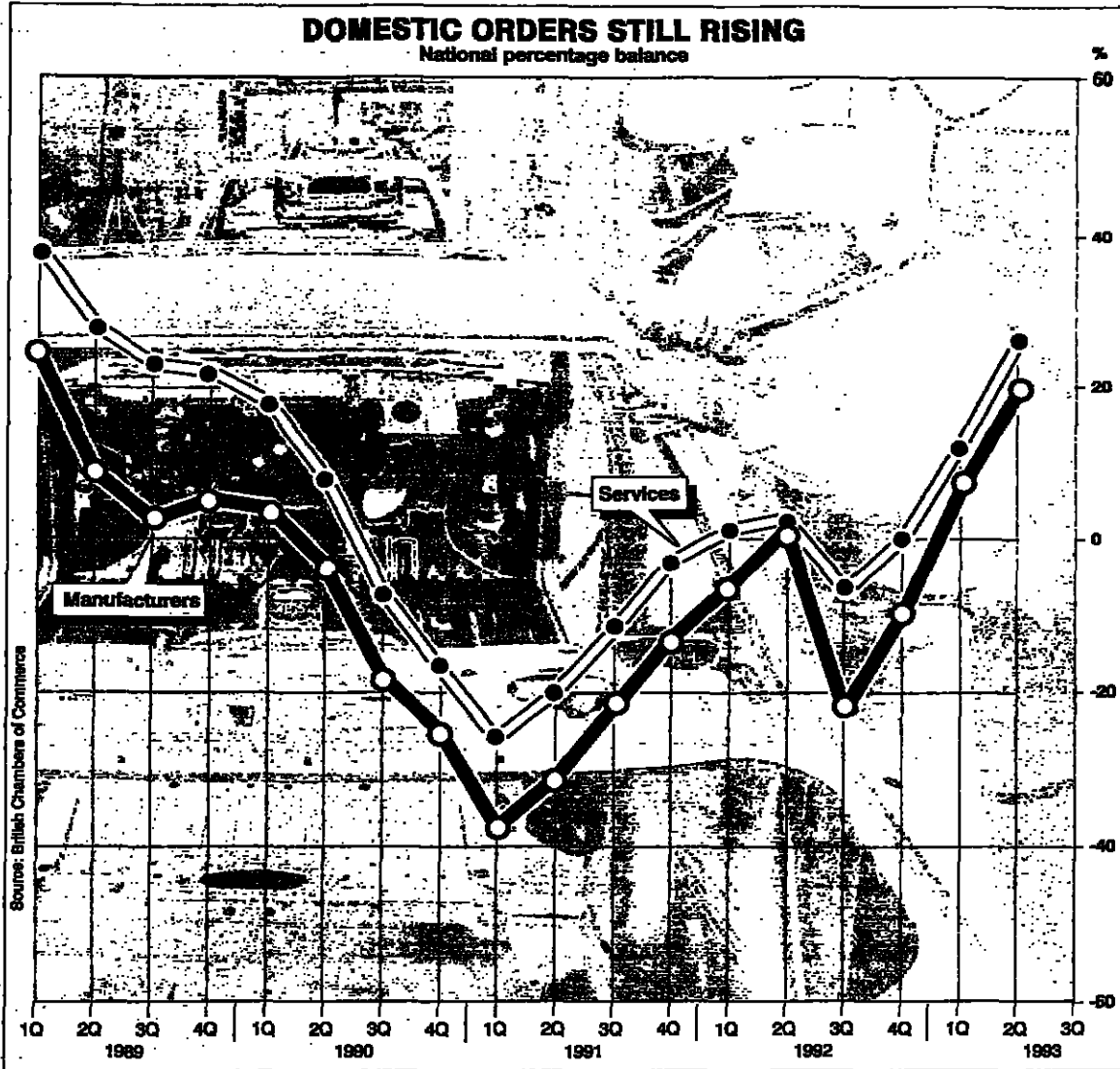
The business survey market is now a crowded and competitive one. Significantly, the Treasury will next month give its own view on the survey that measures British industry. The Treasury's own bulletin, published three times a year, is expected to include an assessment of the relative performance of all the main large-scale business surveys — estimating how well they have tracked and predicted movements in the real economy.

The Treasury is unlikely to include most of the so-called "surveys" — many of them at best statistically invalid, some of them almost wholly bogus — that land on news organisations' desks. The organisations which produce them see them as a helpful and highly cost-effective means of promotion. In their turn, news organisations like them: they look authoritative, they appear comprehensive, they carry no cost — especially compared to the media doing their own leg-work.

The market leader is the Confederation of British Industry's long-running quarterly industrial trends report, which has been carefully tracking British industry since 1958. It is the only one to make the Central Statistical Office's official log of economic data to be released.

Compilers of the BCC survey, and those of the regular opinion survey, the Institute of Directors, feel overshadowed by the CBI's product — the latest of which is published next week — largely because of the weight placed upon it by policy-makers in industry and government. The BCC's survey is also not helped by its sometimes shambolic publication, as witnessed yesterday.

But to those economists, ministers and business leaders who believe that if any sector will lead Britain property



out of the deep recession of the early 1990s it is small business, the BCC survey is of particular value. While the chambers point out that their survey base does include almost 500 large companies, it is the other, smaller, firms — more than 8,000 — that the survey is useful in pinpointing.

Such a concentration on small firms has its own built-in disadvantages. One is that the failure rate of small and especially new small companies — local chambers of commerce find about a 10 per cent membership turnover each year — means the survey may be biased towards success and optimism.

This finds a bizarre reflection in the confidence indicator, a nebulous but important concept. Without it, companies will not invest, expand or employ — activities so beloved of politicians. In the recession of the 1990s, the BCC's confidence index (the balance of those companies feeling more confident set against those feeling less so) has never been negative, never dropped below zero. In other words, no matter how bad was the recession, only a minority of the nearly 9,000 companies ever felt nervous, ever felt anything other than bullish to a lesser or greater degree.

The implication, perhaps, is that business confidence is simply a measure of the triumph of hope over experience; it may also be that small firms survive on the heady air of optimism, and sometimes not much more. Richard Brown, BCC deputy director-general, admits that "there

may well be a bias towards confidence because the failures drop out" of the survey; or, less prosaically, that deprived of the oxygen of confidence, even more small companies would fold within three months.

The BCC survey's principal findings yesterday included: **□ Sales.** Domestic demand is rising in manufacturing, with the balance of firms recording a rise in sales in the home market rising in the quarter from 5 to 19 per cent, and in the service sector from 13 to 27 per cent (see accompanying graph).

**□ Exports.** The survey suggested that the upward thrust in exports stemming from sterling's devaluation may have levelled off, with manufacturers sustaining, but not building upon, their good export growth in the first three months of 1993: a balance of one in five companies, the same as the previous quarter, reported higher export sales. Services saw a four-point rise in sales.

**□ Confidence.** Despite the rise in sales and at least stability in exports, business confidence rose only marginally in the quarter. Confidence in improved turnover in manufacturing is up from 49 to 51, per cent of companies, and to the same level from 47 per cent in the service sector.

**□ Jobs.** BCC analysts admitted they were surprised by the recent falls in unemployment recorded in the government's official statistics, which are certainly not much borne out by the chambers' reports on companies employment practices over the last three months. Over the same period as the fall in unemployment claimed in the government's figures, the BCC survey showed that service sector employment remained static, and manufacturers continued to cut their workforces. Among large companies in particular the employment figures were especially poor, with a balance of 24 per cent of manufacturers and 14 per cent of service companies currently with more than 500 employees expecting to cut their numbers. Both sectors are forecasting a small upturn.

**□ Regions.** The national picture obscured wide regional variations: very poor manufacturing confidence in Scotland, for instance, and a continuing mild recession in the North East; "bleak" employment prospects in Merseyside, and a marked about-turn of fortunes in the East Midlands, strong domestic growth among Welsh manufacturers, and a "dramatic" fall in exports from companies in London.

Overall, the survey suggests that Britain's economic recovery is under way and is broad-based; but it is also hesitant and patchy. Looking for good news in the face of the Maastricht debate, though, the prime minister was having none of its qualifications. On the basis of the survey, he told the Commons, both manufacturing and services had gone to great lengths to "shake off" the recession, and on the strength of its findings he said boldly: "It is now clear that economic recovery is under way."

## TEMPUS

### Unwanted estates

THE failure of the TSB's attempt to offload its estate agency chain on to National & Provincial shows that the market in estate agencies has not merely slumped, it has disappeared. In the grand tradition of British business, the financial institutions which paid astonishing sums for the estate agency businesses, and then made even more astonishing losses as the property market collapsed, are now leaving just as trade may be improving.

Up to 800 estate agency offices are on the market. Abbey National is still trying to dispose of its Cornerstone chain, while the Bristol & West and the Yorkshire building societies are also keen sellers. From these a buyer could build the largest estate agency chain in the country, but buyers are almost non-existent. The few businesses that are still

prepared to make acquisitions are even demanding cash to take agencies off their unwilling owners' hands.

The desperation of so many banks and building societies to sell is a clear sign that the time is right for someone to turn buyer. There are still too many agencies in the high street, but many of the chains for sale have been heavily rationalised and are near break-even or even profitable. Housing turnover this year should exceed the 1.14 million transactions in 1992, and continue to rise next year. Much of the additional revenue should go into profits. Unfortunately few financial groups have the foresight to buy into the bottom of any market, particularly one looking so unpromising. Among the few likely to be interested now are the entrepreneurs who sold their agencies for such high prices five years ago.

## BICC

BICC's decision to scrap the flotation of its Andover Controls subsidiary because of the state of the New York stock markets attracted more than a few curious glances, coming just hours after the Dow Jones had closed at another all-time high. The flotation was to be on Nasdaq — whose performance has been less impressive — but if the time is not right now, investors might reasonably ask if it ever will be.

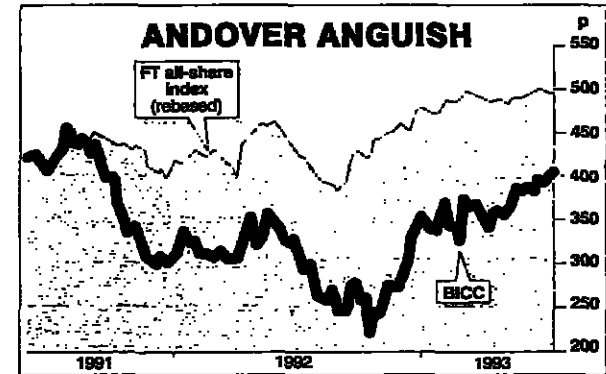
Andover was being priced at an undemanding 12 times' earnings. The issue, BICC stresses, did not hit any problems with the regulatory authorities. Andover is still trading satisfactorily, so no fall in its key markets has intervened since the issue was announced in May.

Clearly, Wall Street institutions were simply not inter-

ested in the goods on offer; a black mark for PaineWebber, which presumably made some effort to gauge investor interest before putting BICC to the expense of an offering. The suspicion is that buyers were dubious about prospects for future profits, which hardly augurs well for any attempt to sell later on.

Worries over BICC's bal-

ance sheet were largely put to rest after last year's rights issue, and debts in March were a relatively modest £59 million. There is little urgency to dispose of Andover, although the sooner BICC is focused on building and cables, the better. Interim figures next month are likely to be flat, which will not encourage the market.



## French franc

THE Bank of France has an impressive array of weaponry at its disposal in the battle to support the franc. Yesterday's suspension of the five to ten-day repo rate was merely another salvo in a long siege, rather than a final, desperate gambit.

Despite the suspension of the repo rate, the pressure on the franc is nowhere near breaking point. The drain on France's foreign currency reserves last week was only £17.8 billion, a pittance compared with the £150 billion the Bank deployed last autumn when the franc looked certain to sink.

That the Bank of France left its 24-hour rate unchanged yesterday suggests that it believes it can ride out the turbulence until the Bundesbank meeting next week. After that, it hopes currency speculators may depart for a long, summer holiday and leave the ERM in peace.

The Bank of France still has a series of defensive options open to it before it is forced into raising the key intervention rate or witness the unthinkable destruction

of the franc fort. It could raise, or even completely suspend, the 24-hour rate, forcing currency dealers to borrow on the money markets, where rates rose sharply yesterday.

Despite its ideological reservations, the Bank of England must regard such a sophisticated monetary system rather wistfully. The Bank had no such mechanism to fine tune the market when sterling was bounced out of the ERM last September.

But all these techniques are only monetary alchemy in the margin of the main issue. The pressure on the franc shows no signs of abating in the run-up to the Bundesbank meeting, and even the Bank of France's collection of counter-measures is not inexhaustible.

## Watts, Blake Bearn

ENTHUSIASTS of hostile bid battles who are depressed by the current dearth of activity should take a look at the intriguing scrap that is developing at Watts, Blake, Bearn, the ball clay mining business, which is trying to

fend off a £87 million offer, even though SCR-Sibelco, the Belgian bidder, already accounts for more than 45 per cent of the shares.

Watts' defence stands every chance of succeeding. For a start, Sibelco's offer is decidedly low-key. It was forced to make a mandatory bid after raising its stake above 30 per cent and since then has done little more than go through the regulatory motions. Its offer of 420p is hardly generous, either. On the £86 million profit forecast Watts published yesterday, the exit p/e ratio is less than 16, while many less solid companies in the building materials sector are trading on earnings multiples of more than 20. Watts has low borrowings and large reserves of rare ball clay.

The strongest point in Watts' favour, however, is the rapid support it has received from other shareholders. M&G — with 7 per cent the largest institutional holder — has said it will stay put only eight days into the bid. Such institutional loyalty is hardly encouraging for risky offers and could keep hostile bids out of fashion for some time to come.

## BUSINESS LETTERS

### Parliament must decide the issue of Sunday trading

From Mr Stephen May  
Sir, The Assistant Director of the Consumers' Association is wrong to write (July 16) that complete deregulation of Sunday trading "will simply legalise current practice". He may find it curious but, so long as the Shops Act 1950 remains the current law, there are companies that will not trade on Sunday for that reason alone. More generally the consequences for the wider community of Sunday trading cannot be judged on a snapshot picture taken today but only on a view of the likely long-term consequences in five or ten years' time.

When one person stands up in a crowd, for a short period he obtains a better view. But others can see less well and progressively they abandon their seats too, until all are standing, at which stage no one can see any better. Over the years, the force of competitive advantage will drag more and more retailers into trading on Sundays, whether they initially choose to do so or not. It is this process that will drive smaller shops out of business and lead to higher prices, fewer jobs, more disturbance on Sundays and the need for more police, refuse collection, traffic wardens and public transport. Over time there would be less and less choice for shopworkers not to work on Sundays, which would become part of the conditions of service offered to new employees.

The John Lewis Partnership thinks these issues are relevant to the debate on Sunday trading but that it is for Members of Parliament to judge their significance in the interests of the community as a whole. It is that overall interest which leads to wide acceptance of traffic regula-

tions, building and planning regulations and environmental regulations. The fact that a poll by NOP in the last week showed that 80 per cent of those interviewed would either be happy with one of the regulatory approaches to Sunday trading (the KSS option) or did not shop on Sundays at all contrasts strangely with Mr Prentice's claim that complete deregulation is the only

option that takes account of public opinion. This is because he defines public opinion as "manifested every Sunday at supermarkets, garden centres, DIY stores and shops generally". Yours faithfully, STEPHEN MAY, Director, John Lewis Partnership, 171 Victoria Street, SW1.

**Seven-day opening is a calamity for small shops**  
From Mrs M. E. Walker  
Sir, Little attention seems to have been given to the options for, and the fate of, small independent shops when considering the review of Sunday trading regulations.

My husband is sole proprietor of a menswear shop. He runs this single-handed, with my help at busy times. We are open now 5½ days a week, are unable to pay any staff, so we never are able to have the shortest holiday. Sundays are very precious to us.

With deregulation, we would have to open on Sundays, building and planning regulations and environmental regulations. The fact that a poll by NOP in the last week showed that 80 per cent of those interviewed would either be happy with one of the regulatory approaches to Sunday trading (the KSS option) or did not shop on Sundays at all contrasts strangely with Mr Prentice's claim that complete deregulation is the only

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**Lloyd's should take thorough look at Gooda**  
From Dr H. B. M. Lewis  
Sir, Reporting SFO enquiries into Gooda Walker (July 15), you say: "Lloyd's is separately investigating the conduct of Gooda Walker agents. A spokesman said that the enquiries were being conducted 'as speedily as consistent with a thorough approach'." It is true that a misconduct enquiry is in progress, but no enquiry is being made into how the Gooda group's members' agents carried out their duties.

Twice, I have asked for such an enquiry. Twice, I have been refused. A letter from Lloyd's stated: "A factual enquiry, as

distinct from a misconduct enquiry, is one for which we have the powers but I can see no purpose in it in circumstances where compensation will not result and there are no available central funds for that purpose." It adds: "Advice from leading counsel was that [misconduct] does not affect the obligation of names... to fund their liabilities."

I hope the fact that the SFO is now conducting an investigation will alter Lloyd's views. Yours faithfully, BRODIE LEWIS, Hillhead Cottage, Bieldside, Aberdeen.

### CA did consult its members

From the Chief Executive, Consumers' Association  
Sir, Mr Bieber claims no *Which?* subscriber has been consulted on the issue of Sunday trading (Letters, July 21).

We have researched attitudes to shop opening hours on four occasions since 1974, twice among our members, twice among the public, with enough response in each case to draw reliable conclusions. The results have been notably consistent, showing a majority of two-thirds in favour of relaxation of trading laws. In our last survey of *Which?* readers, August 1988, 75 per cent of those questioned said people should be free to go shopping on Sundays or late at night if they wished. Among options for reform, complete deregulation topped the list.

Other polls in the last 20 years have provided similar evidence of a two-thirds majority in favour of Sunday trading: the MORI survey of September 1992, showed 67 per cent for relaxation.

It is from this consistent body of consumer support, as well as the practical evidence of millions of Sunday shoppers, that CA claims its mandate. Our message has been the same since 1974: Sunday retailing should be free to develop to suit the needs of consumers. Freedom of choice in Scotland has resulted in a gradual evolution in opening patterns without dramatically changing the character of Sunday similar to those in England and Wales in recent years. And Scottish opinion polls have approved of this. Yours faithfully, JOHN BEISHON, (Chief executive), Consumers' Association, 2 Marylebone Road, NW1.

## THE TIMES CITY DIARY

### Money-go-round continues

NATWEST Securities has become the latest loser in a veritable round of musical chairs which seems to have afflicted employers of brokers in American shares in the past two months. Seonaid Scott-Hayward, 31, and Patrick Spencer, 37, were both at their new desks in Canary Wharf on Wednesday after succumbing to attractive offers from Bear Stearns, the fast-growing US broker. Their switch of allegiance comes just after Chris Shales quit Bear Stearns after 18 years to join another American firm, Furman Selz. It also follows hot on the heels of Nick Hardcastle's move from SG Warburg to Salomon Brothers, Alex Rushing's switch from Pru Bache to First Boston, Tony Bond's jump from PaineWebber to Lehman Brothers and Jonathan Laing's walk from Merrill Lynch to JP Morgan. Steve Morgan, who left Oppenheimer, has yet to declare his hand. Jim Furlong, a former Drexel high-earner whose new firm headhunted the two latest movers, says the job merry-go-round has been fuelled by Wall Street's "phenomenal surge in profitability". Salaries for the top "stars" are reputedly running as high as \$500,000. But Scott-Hayward, who joked about breaking the Quotron system within hours of her arrival, denies that money was her motivation. NatWest's research was "too narrow in its range" and it was unlikely it could ever be as big in American equities as her new firm, she says. Contemplating

the jobs bonanza, Furlong gives this warning: "This type of activity tends to occur only at market tops."

### Backing Sydney

AN Australian bank is luring foreign investors with a chance to hit the jackpot if Sydney wins its bid to hold the Olympic Games in the year 2000. Macquarie Bank has devised the "Olympic Option" to give people who have minimum assets of \$500,000 the chance to buy options on a basket of shares in companies likely to benefit if the bid is successful. Sydney, alongside both Peking and Manchester, are the leading contenders in the battle to hold the Games, with the winner to be revealed on September 23. Aussie economists say that between \$10 billion and \$12 billion could be injected into the Australian economy if Sydney gets the Olympics. Macquarie Equities, a unit of the bank, has offered call options on stock of



seven listed companies — two building contractors, a transport group and four building materials companies. Susan Fenton, who devised the scheme, says an investor would have to pay \$45,000 to buy an option. "There are quite a few people interested from overseas who normally invest in the Australian market," Fenton says. Well, probably not that many from Manchester.

### Moscow taped

RTZ, the world's largest mining company on whose empire the sun never seems to set, has gone four times multimillionaire. It already publishes an English, French and Japanese version of the chairman's annual statement. Now it has turned out a 12-minute corporate video available in English, French, Spanish and Russian — "primarily for those who have a limited knowledge of RTZ". The choice of Russian follows the recent opening of a Moscow "listening" office so that RTZ has its ear close to the ground should its buckets and shovels ever be needed to help dig up base and precious metals there. The clue to where RTZ goes next lies in the next language chosen, but on that subject the video is silent.

### Co-ed Chris

THE new edition of the much-fearred guidebook to law firms, *The Legal 500*, caused more consternation than usual at one City firm. Chris Edwards, a commercial property partner at Timms Sainer & Webb, was rather perturbed to read the inclusion on his education-

al background. Archbishop Tenison's had overnight become a girls' school. The fit Sins Crystal Palace soccer club fan says: "This could cause some confusion in the City: my female partners are already well into the third round of jokes about it." He did not wish to elaborate.

### Wash-and-grab

THE saleswoman at Boots certainly knew how to put the boot in. At least that is, according to Sir James Blyth, who spoke of his "amazement" at the courage displayed by some of the young female staff in combating thieves in the group's stores. At yesterday's spirited annual meeting, he told shareholders that he had been "staggered how some of our girls in Boots tackle enormous men who are trying to clear a shelf of Wash-and-Go shampoo. We discourage them from doing it but they still do." What stimulates this amazon bravery? "I think they just get very, very cross," he says.

### Mouse wars

THE BITTER circulation battle between the *Sun* and the *Daily Mirror* appears to have inspired the use of similar price-cutting tactics, even in the relative tranquillity of the Sussex farming community. When one farm outside Littlehampton put up a sign reading "White mice for sale — £1 each", a neighbouring farm was quick to retaliate: "Brown mice — FREE — catch your own."

MELINDA WITTSTOCK







# INFOTECH

## Probing inside the screen

Jane Bird meets a pioneer now exploring the potential of virtual reality.

Women did not start wearing mini skirts because someone sat down and thought what a good idea it would be to raise hems a few inches. The fashion came after a new kind of loom had been invented, capable of knitting tight, soaring hemlines were a consequence of weaving technology.

For Iann Barron, a computer pioneer, the story shows that innovative applications do not come about by trying to foresee how people might use your inventions. Mr Barron's philosophy is to develop the very latest technology and let the rest of the world work out what to do with it. Now he has turned his attention to virtual reality (VR).

Mr Barron is chairman of Division, a Bristol-based company which develops the software, hardware and the electronic gadgetry for VR systems. Though still primitive, VR can give users the illusion that they are stepping inside the computer screen, as in a latterday Alice, experiencing a computer-generated three-dimensional world.

Division was formed three years ago by four computer whiz-kids who approached Mr Barron to be their chairman after he left Immos, the semiconductor manufacturer, which he founded in 1978. One reason for his enthusiasm is that VR represents an opportunity to exploit parallel computers — machines capable of performing many operations simultaneously. Parallelism has long fascinated Mr Barron: at Immos he designed the transporter, a computer on a chip, as a building block for parallel machines.

The problem was that companies had a huge investment in old software, written for conventional sequential computers and could not afford to rewrite it to exploit the trans-



All in the mind: Iann Barron, chairman of Division, with one of his company's helmets for virtual reality games

puter's parallel processing powers. Such difficulties do not arise with VR. "It is a new application so there is no legacy of old software to get in the way," he says.

The City, traditionally wary of high-tech companies, also seems taken with the idea. Division shares, placed on the stock exchange in May at 40p, are now almost twice their launch price.

But success can be hard to achieve in the computer business, especially for British companies which suffer from the smallness of the "domestic" market. Mr Barron says: "Start-ups have to offer big returns to their venture backers, but the whole British economy moves more slowly and you have to fund your debtors for much longer

than in America." It was a lesson that Mr Barron learnt at Computer Technology (CTL), a company he founded in 1965 to build computers based on integrated circuits. When CTL's American rival, Digital Equipment, arrived in Britain it was able to undercut CTL's prices because of the volume of sales in America.

Another difficulty for those developing British computer systems is that they tend to be too small to exert much influence on international standards. "This leads to the third problem, which is that it is much harder to raise the money," he says. "The answer is either to give up and go to the US, or try to run harder."

For Division, the idea has been to establish a world

presence from the outset. Five of its 20 staff are based in an American sales office with the goal that 40 per cent of business should be in America, 30 per cent in Japan and the rest in Europe.

So far, most VR applications have been in games, but it has not been widely adopted because of high costs and present technology's limitations. Hence Division's decision to focus on serious applications such as molecular chemistry, robotics architecture, training, retailing and promotion.

Eventually, Mr Barron argues, VR will be universal as the medium through which people use computers, just as graphical screens and mouse-pointing devices are widespread today.

VR's progress will depend on development in computer processing speeds. Division says it could be ten years before computers are powerful enough to provide easily af-

fordable, high-quality three-dimensional images. Mr Barron says: "Competition won't materialise as quickly as the hype suggests. VR requires more powerful hardware, more complex software and lots of new peripherals."

One personal computer is music to the learner's ears

Modern musicians increasingly find themselves using personal computers, yet the PC's potential for bringing on the next generation of music-makers has not been fully exploited.

The exception is the Miracle Piano System, a £300 electronic keyboard and computer program which claims that through a combination of on-screen lessons and practice sessions it can teach a beginner the rudiments of music and how to play the piano.

It is one of a new generation of home packages designed to prove that PCs can be used as efficient teaching tools if designers borrow ideas from the more popular games market. It works on a variety of PCs and the Nintendo games console.

As with a personal piano lesson, the syllabus begins with a rudimentary lesson on keyboard posture, then teaches the first piece of music — a simple version of Beethoven's *Ode to Joy*.

One of the program's innovations is a marking system; the computer "listens" to the student's playing, then analyses the performance. When the player has finished the piece, the program assesses the performance.

It can detect 200 types of error, including ignoring an accidental mark, holding a note too long, playing too fast and failing to keep the rhythm. The computer then analyses the types of errors made to determine the next part of the lesson.

If the learner does well

Keyboard strikes a lively note



enough, he or she moves on to a "performance hall", where he plays to the accompaniment of a backing orchestra provided by the keyboard. If a weak point shows, the learner is moved to a series of exercises to improve his playing. Student records are maintained by the system, which awards certificates for notable achievements.

The range of music used for the lessons is broad, from Bach to Scott Joplin and modern rock. The most popular modern composers on the system are Lennon and McCartney, seven of whose songs are included.

The 40 initial chapters of lessons mix modern and classical music, and some of the most difficult lessons involve pop and jazz tunes. Musical notation and terminology are taught alongside ragtime and rock.

Budding composers can use the system to record compositions on an eight-track recorder built into the software.

How do users rate the system? One of the few schools in England to adopt it, Selly Oak School, Birmingham, has bought five for general music lessons for its pupils, most of whom have learning difficulties.

Graham Ridley, the senior deputy teacher at the school, says that the initial experience has been encouraging. In September the school will introduce a syllabus based on the machine.

Mr Ridley says: "We've used keyboards before, but they have always been more expensive and have never had software tied to them. One of the best things is that a student can use the keyboard while wearing headphones, so he or she can work with the piano in a classroom without disturbing anybody else."

Software Toolworks, an American manufacturer, says it will introduce more advanced lessons and a new song-book. Other software houses are also starting to produce programs.

DAVID HEWSON  
Mindscape, British distributors of the Miracle Piano System: 0444 246 333

## INFORMATION TECHNOLOGY

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# Are you too old to be a whiz-kid?

The campaign by the Independent Computer Contractors group (ICC) against age discrimination has a slogan: "No matter how young you are at the moment, one day you will be 40."

Computing has long been considered a profession for the young. The suspicion occasionally surfaces that it retains its youthful bloom by weeding out its more mature practitioners, or at least by obstructing their progress.

The ICC campaign literature adds: "This unhealthy preoccupation [with youth] has come to the fore... with Jacques Delors [the European Commission president] declaring this to be the year of the older person. However, the EC promptly issued a set of job advertisements for positions in computing, stipulating that the upper age-limit for applicants is 35."

The line between preference and discrimination is a fine one. Typically, employers will advertise for candidates "likely to be in your late twenties/early thirties... vacancies throughout the UK for young

## David Guest investigates age discrimination in the computer world

software and firmware engineers". Coded preferences may be discerned when a company describes itself in advertisements as "young", "progressive" or "dynamic".

Sometimes, the old do get a look-in. Some advertisements require "five to ten years' experience" or "mature team players".

Is discrimination on the grounds of age a constant feature of computing? A recent salary survey by the Reward Group provides some statistical evidence. In one part of its survey, Reward ranks salaries by age. The median salary of the computer professionals polled rises steadily to £27,000 at the age of 40. Thereafter, it becomes erratic. The image of a career advancing with seniority fades.

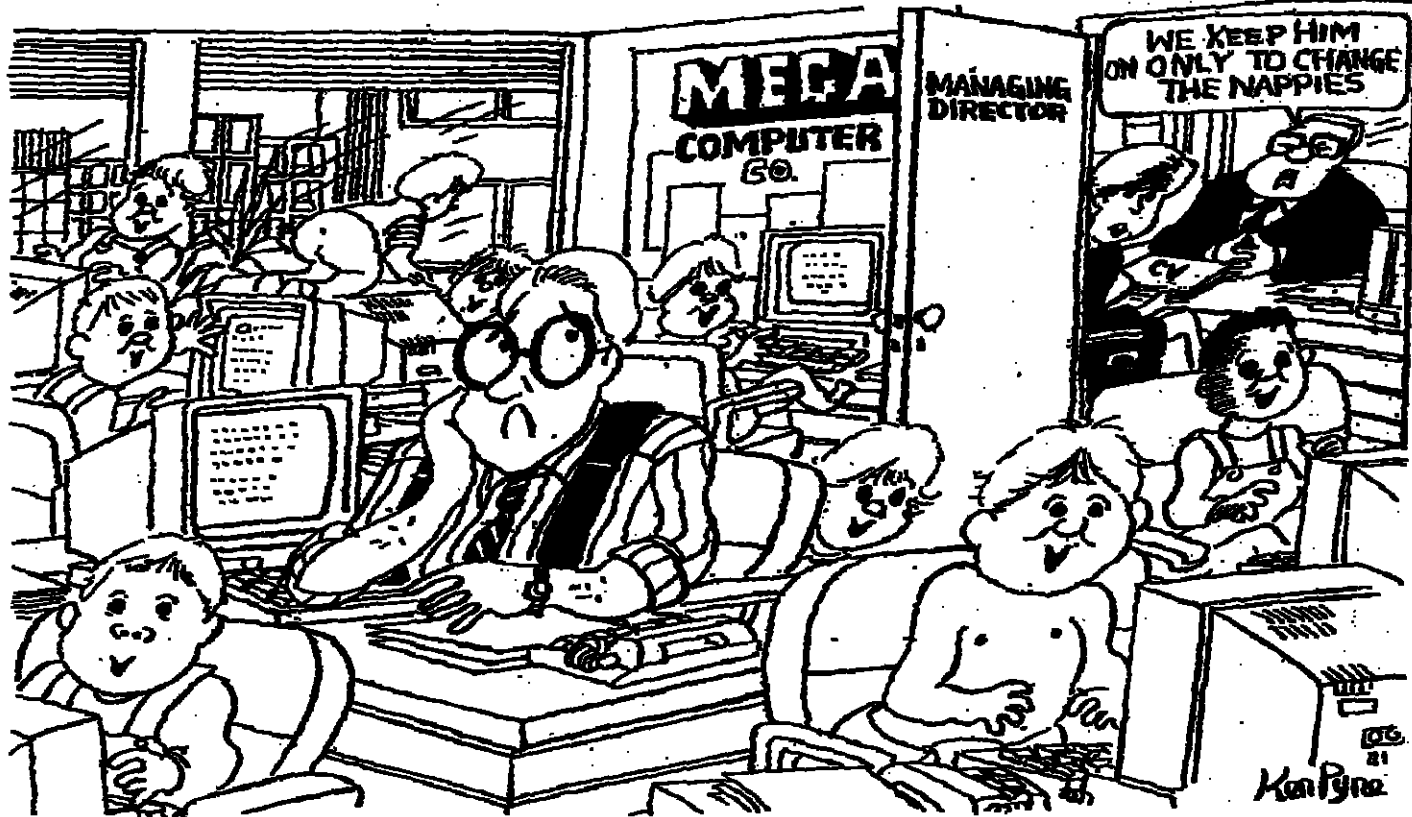
The picture that emerges is of a

profession in which more than two-thirds of practitioners are below the age of 36. Twenty per cent are younger than 27 and 20 per cent are older than 43. Only about 2 per cent are older than 55.

Mike Ryan, the director-general of the Institution of Analysts and Programmers, has mixed feelings about the issue. "Yes," he says, "it does arise occasionally, but perhaps not as much as you might think. The computer industry is fast-moving. People can get to the top of the tree very quickly. They are probably at their peak around the age of 30. It really is a young person's industry."

Mr Ryan suggests that the usual arguments against age discrimination—that in medicine and the law, for example, people welcome age and experience—is not valid for information technology.

"We are concerned with people who program," he says. "It is a medium skill. A programmer is not equivalent to a doctor but to a physical-training instructor: fit, alert, with basic training and his wits about him."



Mina Gouran, a partner at Heidrick and Struggles, an executive recruitment company, says: "I personally do not believe that computing's attitude towards age is very much different from other business and commercial professions, such as marketing or finance."

An advertisement's phrasing may be only a means of weeding out the more sensitive. Job-hunters with thick skins will ignore the messages of an advertisement, coded or otherwise, and apply.

This is the stage at which discrimination is most likely to apply. Recruiters, faced with a

mass of CVs, will apply various criteria to reduce the pile to interviewable proportions. Age may be one criterion.

Dianah Worman, an equal opportunities adviser for the Institute of Personnel Management, says: "Our general view is that age should not be a criterion." There is

legislation against age discrimination in the United States but so far not in the UK.

A survey suggests that a large proportion of people believe that discrimination exists and that something should be done about it," Ms Worman says. "It is now on the agenda."

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**THEATRE page 30**  
Barry Foster plays the  
lead in the RSC's  
collaboration with  
Moscow Art Theatre

# ARTS

**ROCK page 31**

After the thesis on  
Sinead O'Connor, what  
will the pop academics  
come up with next?



## Flemish verve celebrated in its true colours

The new show of medieval sacred art at the Fitzwilliam in Cambridge is a revelation, writes Richard Cork

When the keen-eyed connoisseur George Vertue came to Cambridge in the mid-18th century, he visited the master's lodge at Queens' College and discovered some remarkable pictures. In his view, the "large flat paintings in oil" were executed "after the manner of Albert Dürer [sic]". And as late as 1954, Nikolaus Pevsner was still reiterating the notion that they were South German. Only recently have the paintings been recognised, by Jen Michel Massing, as probably the most outstanding late medieval paintings from Brussels in a British collection.

Presiding now over the "Splendours of Flanders", a magnificent exhibition staged by the Fitzwilliam Museum in Cambridge, the pictures' quality is more apparent than ever. Over the past century, they have been incorporated in Frederick Joly's Victorian chapel at Queens' College, where they have been inappropriately framed and partially obscured. But here, the three panels are displayed in simple frames, and the images on the backs are revealed for the first time.

Massing, who has co-authored a catalogue with Alain Arnold, believes that they once formed part of a large altarpiece by the Master of the View of Sainte-Gudule. His tantalising anonymity should not be allowed to obscure the fact that he was an innovative painter, impatient with the stereotypical stillness that was favoured by so many of his Flemish contemporaries. St George, in the finest of the newly disclosed back-panels, tramples with an almost sadistic relish on the crushed back of a dragon who screams in pain.

Writing 40 years ago, the historians of Queens' castigated these paintings for their "coarseness of conception". But now that the British have overcome much of their former prejudice against expressionistic art, the panels' outspoken emotion can be properly appreciated. In the painting of *The Betrayal*, for instance, Judas becomes a wizened, red-nosed grotesque who presses his jutting lips against Christ's cheek.

As for the central panel of *The Resurrection*, the contorted poses of the sleeping or shocked soldiers are ingeniously contrasted with the balletic elegance of the revitalised Christ. He steps down from the coffin with fastidious deftness, and his attenuated limbs seem weightless compared with the absurd, metal-burdened bodies of his armoured guards.

If the Queens' panels are the "grandest images on show, they do not outshine the other examples of late medieval art assembled here. Borrowed from Cambridge collections exceptionally rich in paintings, illuminated manuscripts and printed books from the Low Countries, the survey celebrates an era of brilliant achievement.

The greatest painters of the period — Van Eyck, Memling and Van Der Weyden — are not represented. But the visual culture from which they emerged was consistently excellent, nurtured in church and court by the fervent collecting of monastic biblio-

philes and all five of the dukes of Burgundy. One of the smallest images here is among the most powerful. Christ hangs down, limp and apparently defeated, in a wooden fast was probably intended to be pinned to a wall in a church or house. But as if to compensate for the print's tiny size and its lack of colour, scarlet paint has been liberally applied. The paint cascades down the dying man's body, spurts from his hands and gushes out of the wound in his side like an unstoppable geyser.

It could well be the bloodiest interpretation of the crucifixion in all Western art, and yet the violence does not seem gratuitous. Rather does it accentuate the sense of infinite sorrow in Christ's suffering, an emotion which must have played a potent role in contemporary attempts to reform the spirituality of the people.

In this instance, the brazen use of red still has the ability to unnerve. But woodcuts were often coloured in

ambitious, compared with a later oil of the same subject. Part of the founder's bequest to the Fitzwilliam, the work was originally attributed to Dürer. While lacking his command, the panel is an elaborate manifestation of an ambitious Flemish artist's response to Renaissance pictorial discoveries.

The angel's pose is ingeniously defined, caught at the moment of alighting on the tiled floor. If the Virgin remains composed, as she sits by a basket and scissors — symbolising domestic virtue — her head nevertheless turns in gentle acknowledgement of the messenger's advent. Between them, a virtuoso display of receding perspective leads the eye through an ornamental temple towards the oblivious Joseph, who is chopping logs outside.

Ultimately, this *Annunciation* is too ostentatious in its parade of illusionistic skill. The fanciful architecture threatens to detract from the drama of the momentous event. However, a later panel, painted by Joos Van Cleve, does focus wholeheartedly on the humanity of its religious theme. Here, the Virgin and her breast-fed baby occupy most of the picture-space. Two exquisite landscapes are inserted on either side of a cloth-of-honour. But these landscapes remain firmly subordinate to the direct, unpretentious and intimate presentation of the mother and child.

The homely woman smiles with unaffected delight as she holds up her exposed nipple to the boy's mouth. He is already sated, though. Propping his head on her breast, he succumbs to a milk-heavy sleep. The mood of simple fulfilment is reinforced by the country scenes beyond, where sheep graze in mountainous, well-watered terrain.

By the time Van Cleve painted this superbly assured panel, around 1530, humanism had triumphed over medieval piety. His genial earthiness could hardly be further removed from the fierce, awed ardency motivating the master who painted the Queens' College altarpiece. The approachability of Van Cleve's mother seems marvellously inviting after the remoteness of earlier images.

Even so, I found myself returning to the spellbound emotion in paintings where the late Gothic spirit still lingers. Overcome by his proximity to the Virgin and child, the Chevalier Philip Hincckaert kneels in full ceremonial armour and clasps his hands in prayer. Painted around 1505 by an unknown artist of the Brabant school, he is arrayed with a magnificence befitting his status as *maître d'hôtel* to Philip the Handsome.

His expression, however, is devoid of pride. Gazing dreamily at the divine pair, who maintain a solemn distance from the Chevalier and his patron saint, Hincckaert seems lost in wonder. He looks as rapt as we feel, confronted by the myriad accomplishments of a culture which still has the capacity to astound.

● *Splendours of Flanders continues at the Fitzwilliam Museum, Trumpington Street, Cambridge (0223 332900). Tuesday 10am-5pm, Sun 2.15pm to 5pm, until September 19*

**'The outspoken emotion of these newly displayed panels can at last be properly appreciated'**

to compete with miniatures, and the survey is well-stocked with consummate examples of manuscript illuminations. The museum's own founder, Viscount Fitzwilliam, bequeathed a distinguished array in 1816. They contribute enormously to the exhibition's appeal, even if some of the showcases display their contents at such an uncomfortably low level that close scrutiny becomes difficult.

Some of the most attractive miniatures, however, gain enormously from their clear display on a wall. Comprising five leaves from a renowned Book of Hours, commissioned by Albrecht of Brandenburg from the Netherlandish artist Simon Bening, they were given to the museum by the Friends of the Fitzwilliam in 1918. Every hairbreadth detail of *The Last Judgment*, where a dramatic scene of blessing and damnation is set within a border located in hell, has been lucidly defined.

In the main miniature, flesh-coloured nudes who include a tormented priest are shepherded across a green field. But Bening suddenly terminates the meadow with a curtain of smoke and flames, trapping the scorched figures who scream or claw the air beyond. The border is more apocalyptic still. While a burning town fills the distant sky with asphyxiating fumes, a trail of corpses leads to a foreground where avenging angels topple and slash at corrupt prelates with their swords.

Although Bening was always heavily dependent on earlier artists, these miniatures are irresistible. But his beguiling interpretation of *The Annunciation* does look rather un-



Balletic elegance of the revitalised Christ: *Resurrection*, with Christ appearing to Mary Magdalen, said to be a panel from an altarpiece by the Master of Sainte-Gudule, Queens' College, Cambridge

### CONCERT

## Finesse matches fab gear

Kronos Quartet  
Barbican

Beneath the fancy lighting, pretty costumes and amplification are four damn good musicians. That is the point about the Kronos. You might be able to prop up an ailing politician with sick presentation, but you cannot sustain a string quartet at the top of the music business for 20 years simply by packaging them well.

So although the Barbican's four-day Kronos festival may peripherally be a celebration of fame and fab gear, it has a serious purpose. No fewer than 14 works receive their UK premieres, and they constitute a truly eclectic array of contemporary styles.

Of the six crowded into the entertaining first concert, two involved rap-like sampling of speech, and plunged us into American politics. Michael Daugherty's *Sing Sing*: J. Edgar Hoover was written after the Kronos's leader, David Harrington, had read Kurt Gentry's scorching biography of the FBI boss and decided that the Kronos needed "to alert the audience to the implications". Who said radical chic is dead?

The work mixed Hoover's words, gunshots and ironic quotations from patriotic ditties with a sardonic instrumental commentary. Obvious, but done with rhythmic zest.

Scott Johnson's *How It Happens* sampled speeches by the liberal politician I.F. Stone. But here the effect was more benign, not to say soporific: words were looped in catchy rhythmic sequences and set to innocuous tunes. Much livelier was John Zorn's *Car O'Nine Tails*. Inspired by cartoon films, it started as a quiltwork of three-second disparities: frantic, anarchic or mockingly sentimental. But this frenetic tribute to our instant culture was undercut by melancholy, and that is how the piece ended: with a question mark and a sense of nostalgia for the repose that has been sacrificed.

I was impressed, too, by Lois Vierk's *River Beneath the River*. It took one simple, minimalist-like riff and gradually lifted its pitch, speed and intensity until the gentle stream turned into a torrent in full flood.

Older American music was also on offer. Neither George Antheil's moody *Lithuanian Nights* nor Henry Cowell's avant-garde (for 1919) *Quartet Euphometric* hung around long enough to make much impression. But *Dinner Music for a Pack of Hungry Cannibals*, a glorious syncretised romp by the 1940s soundtrack composer Raymond Scott, should be in every quartet's box of encores.

Speaking of encores, Jimi Hendrix's "Foxy Lady" was done with a spectacular blitz of electronic howl. That woke everybody up after a major disappointment: Philip Glass's Fifth Quartet. Atunual textures and the odd, promising wisp of a tune led nowhere except back to their own beginnings.

RICHARD MORRISON

## Jacobean cup satisfies the taxman



The Coventry cup, made from James I's Great Seal

THE Museums and Galleries Commission has just persuaded the government to accept a magnificent Jacobean silver-gilt cup for the nation in lieu of £206,000 of tax. It will go on show at the Victoria and Albert Museum shortly, near the Great Bed of Ware. Standing 21 inches high, it was made from the melted-down silver of the Great Seal of James I for Thomas Coventry, the Lord Keeper of the Great Seal of England. It was one of the perks of that job to be handed redundant seals when a given monarch died; some fine silver pieces resulted.

Philipa Glanville, curator of metalwork at the V&A, was in raptures about her new acquisition. Because virtually all of the royal and noble silver from this period was melted down by Cromwell during the Civil War, she says, the only comparable pieces of English court silver are in the Kremlin in Moscow, having been sent there three centuries ago as gifts.

● **HAVING** paid a record £4.5 million last December for *The Courtyard at Delft* by the Dutch master De Hooch, the Noortman Gallery of Bond Street has found a "private overseas buyer" willing to pay their mark-up. This could be as much as £1.7 million, judging from the asking price of £6.2 million when the painting was on display at the gallery.

Because the National Gallery owns a similar scene by the artist, an export licence will probably be granted automatically, so we will

over a font. Now, with nothing but an empty frame left, it transpires that the painting is attributed in one of the church's inventories to the Italian 17th-century artist Il Guercino. If genuine, it could be worth up to £1 million.

Could the culprit now be making their way to Bond Street? If so, the Rev Arnold Hirst would like to hear, because it is not insured.

● **A FAMILY** dispute concerning the sale of the art collection of the Royal Academy's American benefactor, Arthur Sackler, has been resolved with his widow backing down. Christie's were asked to auction the \$3.5 million collection of rare Renaissance pottery last January. But the sale had to be cancelled following a claim



probably never find out the exact price. Who said all art dealers were on their uppers?

### Guercino stolen?

DID the thieves who swiped a painting of the Holy Family from a church in Wickham near Portsmouth know something nobody else did? The painting was given to the church 30 years ago by the village squire, George Carpenter-Garnier, and until last week it hung anonymously

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THEATRE: Benedict Nightingale reviews the RSC's collaboration with Moscow Art Theatre

## Stolid staging dampens party spirit

Misha's Party  
Barbican Pit

A FRIEND of mine had a Russian boy staying with her family in London when the booted coup of August 1991 occurred in Moscow. Worried sick by what they saw on television, they eventually managed to put a phone call through to his home, only to get his disgruntled mother on the end of the line. "I don't know about that," she said. "I'm busy making jam."

The creators of the absorbing *Misha's Party*, Richard Nelson and Alexander Gelman, would appreciate that story. Their characters spend the play in a hotel opposite the so-called White House on the very night the Soviet army was expected to attack it. The sound of shouting, tanks, and triumphant cries of "Yeltsin" are heard offstage. Yet the only person to take much interest in the unfolding conflict is an elderly communist who intermittently glances over the beaming he expects the democrats to take. All else are too involved with their personal concerns; and for that they appear to have their authors' understanding, even sympathy.

I suspect that some British audiences will feel this trivialises a heroic event. Indeed, there was a palpable air of puzzlement on the first night. Rome was in danger of burning down, and yet here we were, watching an amusing play about a family of fiddlers. But it is hard to direct accusations of irresponsibility at Gelman, a deputy in the Russian parliament and a speechwriter for Boris Yeltsin as well as a dramatist. His and Nelson's not-unpolitical point is that, however great the future in the world, what matters for most people is making sense of themselves and each other.

Theirs is admittedly an artistically risky collaboration. Gelman, who speaks no English, shut himself up with Nelson, an American who speaks no Russian, and with the help of a translator concocted a detailed plot. Each then went away and wrote separate dialogue in his own language. Gelman for the Moscow Art Theatre.

Rumpled philosopher-Iothario: Barry Foster (left) in a scene from the RSC's *Misha's Party* at the Barbican

Nelson for the Royal Shakespeare Company. I suppose we should be proud that the latter version is the first into the limelight; but, sadly, it is hard to admire a production so often so stolidly English.

There is a danger of sentimentalising Russian "volatility"; but David Jones's company seem ill at ease with the emotions that the text requires, and unable to express them with physical freedom. That is especially true of Barry Foster, the Misha of the title. He has invited his two ex-wives, their husbands, his daughter and his young fiancée to celebrate his sixtieth birthday. This means that Barbara Jefford,

Benjamin Whitrow, Cheryl Campbell and the rest of a formidable cast crowd onstage to drink, quarrel and rage at Foster's rumpled philosopher-Iothario.

Their raucous troubles Sara Kestelman, playing an American on a visit to Moscow with her unruly granddaughter. So she spreads the story that Misha is dying of cancer, thus provoking the importance he still has in their lives. But Foster never justifies their passions, and the others seem barely to feel them.

That is a pity, for in his deft, understated way Nelson has written a robust, healing comedy whose sub-

jects include the pull of the past, the power of unreason and the problems of adjusting to an alien culture. Thus, the younger of Misha's discarded wives, Natasha, boasts about the good life she has found in New York, yet endures rejecting both her microwave oven and boring taxi-driver husband for the discomfort of Moscow.

But though Cheryl Campbell, who plays her, is livelier than most, it is hard to care. Apart from anything else, Natasha's choice will surely counter more in Yeltsin's Russia than in Jon Major's London. Will the real *Misha's Party*, then, be Gelman's version at the Moscow Art? I suspect so.

COMEDY: Martin Hoyle reviews the gallery of 20th-century urban savages brought to life by Eric Bogosian

## Roll up for the urban freak show



Bogosian: Literate, sly observer of the mobile phone-using classes

"THE earth hath bubbles as the water hath," says Banquo, trying to explain the witches; and there is something equally elemental in Eric Bogosian's gallery of hop-heads, derelicts, and general 20th-century urban savages. All are failing to varying degrees against — what? Fate? Society? Them?

Bogosian is an American comic who has been compared with Lenny Bruce, Bob Dylan and Woody Allen. Not very helpful when you consider how different these three are from one another. To begin with, he is more than a stand-up joker like Bruce. He creates characters, set-piece vignettes: a limping beggar with conscience-stricken, socially aware spiel, or a zerked-out drugs dealer who has not come off his cloud for 20 years.

He is a literate and sly observer of the mobile phone-using classes, too, as with the business executive purring sadly over a discarded colleague ("like a father to me — it broke my heart to

**Pounding Nails into the Floor with My Forehead**  
Almeida

fire him"), or picking dirt from his shoe as he mechanically swears love to his mistress. He has a wicked eye for abject political correctness, as when Harry proudly informs his discussion group that "I used to worry about my own orgasm; now I worry about everyone's orgasm."

He reminded me occasionally of the early Mike Nichols and Elaine May: tart comments on the well-heeled, the overtly concerned, the apparently committed. Across the Atlantic they have had chattering classes for 30 years.

Plainly dressed — removing his jacket and rolling up shirt sleeves mark the limit of his physical changes — for 90 minutes, Bogosian roams a stage bare but for a microphone in Jo

Bonney's production. His happy-to-be-here address to the audience turns a paranoid aggressiveness. "I don't think you're so great either. Who needs you? It heralds a growth through the squalor of what he calls 'the city primeval'."

Bogosian is happiest with freaks: the oddballs who have toppled into insanity, whose motive force is anger. The man obsessed with urine who attributes urban pollution to cross-country skiers relieving themselves against mountain trees displays a madly logical approach to acid rain and the food chain. The final frenzied hymn of hate, each stanza of screaming rage ending with the refrain "Blow me!", is a cry of impotent fury at the impervious forces of triviality and self-interest.

"Scratch and I itch cos, baby, life's a bitch," Bogosian's pitch is no blasted health but a human septic tank. An amusing if not very positive view, but Bogosian is worth watching — and listening to.

## LONDON

**PROMS** Tonight there is a rare opportunity to hear Chopin's two *Alceste* songs. The first, a late night, performed by the St James's Singers and accompanied by St James's Baroque Players. Don't miss the second, performed in the Proms in 1972. It is not a regular feature in the repertoire. Listen to a rare chance to decide whether the neglected or underplayed American pianist George Gershwin plays it on Sunday with the Royal Liverpool Philharmonic under Sir Mark Elder (introduction and piano) and Beethoven's "Pastorale" (3rd edition) make up the rest of Sunday's programme.

**CHAMBER OPERAS** As part of a festival, the well-known South Bank Opera Centre presents a new production by Benedict Nelson, performed by the Ensemble Modern under Mark Elder. It accompanies the showing of three Gershwin silent classics: *Easy Street*, *The Immigrant* and *The Adversary*.

**QUEEN ELIZABETH HALL**, South Bank, London SE1 (071-528 8893). Tomorrow, 7.30pm.

**JAZZ WARRIORS** This vibrant and youthful 20-piece band has gained a reputation both in its own right and as a touring outfit for black artists.

## WEEKEND CHOICE

A daily guide to arts and entertainment compiled by Sara Yelland

Including Country Fire and Orphy Robinson

**Jazz Café**, London NW1 (071-910 0000). Tonight, 7pm.

**ARATJARA** The role means "The Messenger" in one of the remarkable African aboriginal languages, and the message this show brings is that aboriginal art is alive and well and burgeoning into the 21st century. This is very much contemporary aboriginal art, which may use traditional form but is more likely to reinterpret traditional images in modern media like acrylic on canvas. Most absorbing are the "portraits" paintings from the Western Desert, which incorporate geographical/mythical drawings in a complex modern form.

**Haywards Gallery**, South Bank, London SE1 (071-261 0127). Today, 10am-6pm (Tue-Wed, to 8pm). Today, 10-12.

**PATRICK BARLOW** In his one act as *Demetrius* Oliver Dingle, the talented writer and actor presents readings from his two best plays *All the World's a Stage* and *Shakespeare the Truth*.

**QUEEN ELIZABETH HALL**, South Bank, London SE1 (071-528 8893). Tomorrow, 7.30pm.

**JAZZ WARRIORS** This vibrant and youthful 20-piece band has gained a reputation both in its own right and as a touring outfit for black artists.

**THE CHANGELING** Michael Anderson's new play, a well-known production, directed by John Cairns. It features the first time more than the heart.

**Barbican**, London EC2 (071-638 8891). Tonight, 7.30pm. Mat, 2.30pm. Sat, 1.30pm.

**THE PIR** Barbican, SE1 (071-638 8891). Tonight, 7.30pm. Mat, 2.30pm. Sat, 1.30pm.

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## REGIONAL

**ABERYSTWYTH** The National Touring Ensemble of eponymous Drama, directed by the Brothers Grimm, moves to Aberystwyth Arts Centre today.

Following the historical aspect of some of the 19th-century, Hockney has based some of the settings on images by Old Masters, for example, the hotel of an old cook in *Fundamental* is based on a Leonardo da Vinci.

**ABERYSTWYTH Arts Centre**, Penglais (01792 522887). Until Aug 2.

**HOVE** The Brighton Philharmonic Orchestra, directed by Ian Watson, gives a concert in celebration of summer, featuring *Wagner's The Flying Dutchman*, with soloist Susan Laffan. Free strawberries and cream to be served in the interval.

**Hove Town Hall**, North Road (01273 674370). Sat, 2.45pm.

**ROCHESTER** On its first ever visit to Britain the Romanian State Opera performs a rare outdoor production of Verdi's *Nabucco*, with the local soprano, performed by the Romanian State Opera.

**The Castle Gardens**, Rochester, Kent (01622 511000/01622 510000/01622 510000). Tomorrow, 8pm.

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ROCK ON FRIDAY: Pop's place in society - discuss. Plus the latest on Bally Sagoo; Catherine Wheel add gloss to grunge

# It's a D minor ostinato groove thang

**John Street dons cap, gown and Pearl Jam T-shirt to attend a very academic conference all about pop**

A professor from China is talking about his country's pop music. He plays a tape. To uninitiated ears, it sounds like an unfortunate accident between Yes and Abba. Then he stands, smiles shyly, and sings a haunting folk song. The notes, half-swallowed, hiccup and swoop gracefully. There is a burst of applause, and he proceeds to show how the two tunes - the ancient and the modern - are versions of each other.

On the monitor, Take That are performing one of their dance routines on *Going Live!*, the BBC1 Saturday morning children's show. A young British researcher enthusiastically explains to her international audience the way television techniques and craft choreography have helped to construct the group's appeal. There is no attempt to mock Take That or patronise their fans; instead, her concern is only to understand the evident pleasure their performance produces in British youth.

As Public Enemy's "Fight the Power" fades, an American musicologist, his conservative sports jacket concealing a heavy metal T-shirt, refers his listeners to a densely notated score of the song's refrain. He remarks ruefully that the sampled James Brown grunt is inadequately represented by the "uhh" on the sheet music.

Tapping out the beat on the lectern, he unpicks the many drum samples, the polyrhythms and Chuck D's hip-hop version of black preaching. Any easy notion of rap as simple, uncomplicated social expression becomes redundant.

Each of these scenes was acted out last week at an international conference on popular music at the University of the Pacific in Stockton, California. For five days, academics and a smattering of others from more than 20 countries argued earnestly, animatedly, angrily and occasionally obscurely about salsa, rap and jazz about



Say it loud, I'm a cultural icon challenging racial stereotypes and I'm proud: James Brown and Sinead O'Connor both went up on the overhead projector during the conference at the University of the Pacific

Finnish folk, South African kwela and Belizean punta rock, about Wynton Marsalis, Elvis Presley, k.d. lang and James Brown; and about styles of disco dancing, structures of the record industries and sexuality in country music.

Mick Jagger was described as a cross between Rudolf Nureyev and Tina Turner. John Travolta was compared to Michel Foucault, both in their different ways announcing the death of the author; and P.J. Harvey was likened to a medieval saint, all passion and pain.

The easiest target in the world of cultural sniping is the pop academic. Literary and film studies are, by comparison, treated as bastions of intellectual respectability. Popular music scholars, though, draw the fire of rock journalists who resent their wordy intrusions and see their theorising as desecrating rock's supposed spontaneity.

A meeting of the International Association for the Study of Popular Music, especially one held under the relentlessly blue skies of California, might seem, therefore, either to promise shooting practice for the massed ranks of sceptics; or to belong only in a David Lodge novel. Except that reality can

always give fiction a run for its money.

The conference was opened by the host university's dean of admissions, wearing a Jerry Garcia tie. Later, an American professor, blurring the distinction between pop stardom and academic success, began her lecture with a sales pitch for a range of T-shirts and posters, all emblazoned with a diagram that illustrated the theme of her talk.

But beneath these bizarre details lie more profound changes in the study of popular music. When the IASPM was formed in 1981, there was little or no formal recognition for such efforts. Now one of the founding members, Peter Wicke of the Humboldt University in Berlin, is the world's first professor of pop. In Britain, there is the Institute of Popular Music at Liverpool University and the John Logie Baird Centre in Glasgow, both of which teach and research pop. This year Salford University produced the first graduates with degrees in popular music. Simon Frith, another founder of IASPM and now professor of English and co-director of the Baird Centre, is also chairman of the judges for the Mercury Music Prize, pop's Booker.

er, which produced its shortlist yesterday.

But with this institutionalisation of popular music studies come hard questions about how pop ought to be analysed and what it means to say a record is "good".

Most pop academics, however,

**The conference was opened by the host university's dean of admissions, wearing a Jerry Garcia tie**

seem aware of their predicament; they appear to be anxious about their role and their relationship to their subject. Many of them have, after all, come to pop as fans, developing and applying formal skills - from anthropology to musicology - much later. As one British participant said, she had last visited California, in the 1960s,



because she "had heard that the flowers grew so high".

The study of pop is riven by this tension between passion and reason, captured at the conference in the juxtaposition of loud shirts and formal presentations. People wondered aloud about what they were doing: whether they were, in the words of Keith Negus, author of *Producing Pop*, "the intellectual wing of the cultural industry", or whether they were simply reinforcing a stereotype of pop music as exclusively Anglo-American.

Others worried more about what they were studying. Frith introduced the conference by remarking that everyone had "gathered to celebrate an illusion". Partly, this was a reference to the way pop is animated by myths, so that a dead Elvis can be as powerful as a living one, and what people say and think about pop determines what they hear. But it also referred to the fact that popular music defies formal analytical tools: what can be written down, the score, is only part of the story. Notation needs interpretation.

Frith did not mean, though, that academic attempts to understand were in vain, rather that there was

no single way to grasp "musical experience" - not only because the experience of the performer is never the same as the listener's, but also because, while musicology might tell us about the "D minor, eighth-note ostinato-woven groove" in James Brown, we may need sociology or psychology to know what is actually heard. Research by Ute Bechold from Tubingen University, Germany, showed how boys and girls could view the same Billy Idol video in completely different ways, deriving quite opposite pleasures.

Driving such apparently arcane investigation is the thought that the music matters. Sara Cohen, a senior researcher at the IPM in Liverpool and presently engaged in a large project examining the city's musical scene, has been exploring the place of music in ordinary life. She has seen how, when people talk about the music they like and play, "it enables them to recall a past that would otherwise have been forgotten, or to say things that otherwise they could not say".

Pop can also find a voice for the unspeakable. Negus feels. Sinead O'Connor, he argued in a paper entitled "Portrait of the artist as

angry young woman", has challenged "naive macho stances", turning pop gripes about parents into a much darker complaint about the physical and emotional abuse of children.

Of course, academic attempts to make sense of music always risk parody and pomposity. Pointing out the "diverse timbres used in a D mixolydian ninth chord" can sometimes be a way of claiming academic authority, just as seeing rap as the direct voice of Afro-Americans can be to imbue it with a misplaced political romanticism.

But when these traps were avoided, this conference, strange though it may seem, was a fascinating attempt to match reason and passion. It was possible to believe, with the feminist musicologist Susan McClary, that Prince could deconstruct masculinity or that Silk's "Freak Me" could create erotic tension by simply pulling against the beat.

Not that a week of argument produced any very definitive answers. As Shunpei Hosokawa, a Japanese writer who eloquently defended the claim that "music is society", remarked: "God bless the chaos, or we'd all be out of a job."

## NEW WAVES

An insider's guide to the Next Big Thing

Keeping the cutting edge sharp is a priority for pop musicians. At the age of 29, Bally Sagoo is well-established in the British Asian music market, but his music betrays a restlessness. For a demonstration of this inability to sit still, an earful of Bally Sagoo *On the Mix: the story so far*, is instructive as well as enervating.

A compilation of eight tracks, released for the first time on a major label (Island) and aimed at a general buyer, this is a perfect album for the person who sits on the front of a television set and zaps the remote control until the batteries run down. If four bars of music pass by without a dramatic change of instrumentation, beat or style, then Sagoo begins to find life dull. "It gets boring if it's just a drum beat," he says. "Anybody can do that."

A forthright Brummie who was born in New Delhi but moved to England before his first birthday, he learnt keyboard skills by watching his father play the harmonium. For traditionalists, his approach to Asian music is alarming. "Why is the bass drum so loud?" was the constant question when he recorded with Pakistani devotional vocalist Nusrat Fateh Ali Khan. Until recently, Sagoo found Indian traditional music "too old", concentrating instead on hybrids of Punjabi bhangra, reggae, rap and house. Now, he is moving against the trend once more by mixing Hindi film singers from Bombay with the ragga rapping of Birmingham's Cheshire Cat. "It sounds mega," he says. The confidence is justified.

DAVID TOOP



Always touched by her presence: even if Deborah Harry's latest is a frost

**CLUB:** Escape, the first monthly club night at the Forum, London NW5 (071-284 2200), opens tonight. Organised by Future Vision Productions it promises to combine the finest in up-front dance music accompanied by a "major visual experience" mixed live by Channel 4, Otto and Louis, plus a live appearance by the Urban Cookie Collective, on stage at 10pm. Licensed until 2am.

**BOOK:** *The Rolling Stones - Street Fighting Years* by Stephen Barham (Studio Editions). Described by Bill Wyman as "the finest collection of photographs ever assembled of the band", this

**WHAT'S OUT AND ABOUT** is a monumental portrait of the Stones published to coincide with Mick Jagger's 50th birthday (yawn) and the opening of an exhibition at the Special Photographers Company, 21 Kensington Park Road, London W11 (071-221 3489) from July 29 until September 25.

**TELEVISION:** *Naked City* (Channel 4, tonight, 11.05pm). Strident new music programme inheriting the back-from-the-pub yooof slot recently vacated by *The Word*. Co-presented

by Johnny Vaughan and Times columnist Caitlin Moran. **Frank Zappa** (BBC2, tonight 12.10am). Profile of the pioneering composer incorporating a repeat of a *Late Show* interview and "rare" footage from the 1960s to the present.

**NOW BOOKING:** Paul McCartney's "New World Tour" finally reaches England when he plays Earls Court, London SW5 on September 11, 14 and 15. The show features 32 songs of which at least half are Beatles hits from "I Saw Her Standing There" to "Sgt. Pepper's". Tickets £16.50-£22.50 by credit card on 071-272 9141.

**SOUNDING** like a less histrionic P.J. Harvey, the performance by Bettie Serveet was the highlight of independent label 4 AD's week of concerts by the company's invariably gloomy roster. The ICA audience was slow in responding to what was essentially mainstream rock music. Five years ago, such indulgences as extended guitar breaks, rolling melodic bass lines and on-stage perspiration would have been roundly frowned upon, but since the birth of grunge and its assorted unsanitary sub-genres, the sensitive people with interesting haircuts have had to shift their metaphorical goalposts. The Amsterdam four-piece didn't look the part of a serious

NEW ALBUMS: The hot sound of the future, coming at you from ... Great Yarmouth

## Buy a supreme effort of Wheel

CATHERINE WHEEL

*Chrome* (Fontana 518 039-2) IF Catherine Wheel came from a college town in America and gave suitably provocative interviews, British tastemakers would be falling over themselves to offer praise. As it is, the group originated in Great Yarmouth, singer Rob Dickinson is related to Bruce Dickinson, formerly of heavy metal warhorses Iron Maiden, and respect has been rather grudging.

Even so, their second album is in a class of its own as a peculiarly English contribution to the post-grunge era. Produced by Gil Norton (Princes, Belly), the music on *Chrome* has a bright, hard lustre - more sheet metal than heavy. On tracks like the melancholy "Crunk" and the soaring "Strange Fruit" they combine a glistening guitar sound with Dickinson's precisely enunciated vocals and ghostly chorus harmonies. There are echoes of the world-weary sadness that has long been the stock in trade of English groups from Pink Floyd to the House Of Love. But the exquisitely tortured "Pain" ratchets up the intensity, moving from a mood of elegant distraction to quiet desperation.

As artful and poised as any fashionable rock album this year, but with a significantly stronger backbone than most, *Chrome* is pure and dazzling stuff.

**OLETA ADAMS** *Evolution* (Fontana 514965-2) SUCCESS came late for Oleta Adams, and although she only

released her chart-topping debut, *Circle Of One*, in 1990, she is a good deal older than the Whitney and Janets of the soul world.

So perhaps it should come as no surprise that the follow-up is a staid middle-of-the-road affair, a batch of smoothie soul songs for the twinstet and pearls brigade.

Adams was working on the American cabaret circuit when she was "discovered" and recruited as a backing singer by Tears For Fears, and to judge from anodyne, wine-bar ballads like "Don't Let Me Be Lonely Tonight" and "My Heart Won't Lie", she is already reverting to type.

There is a pleasant, pseudo-jazz arrangement of Billy Joel's "New York State Of Mind" (another superstar who started out as a cocktail lounge performer), but the sophisticated swing is quickly forsaken for the bland politesse of the ensuing title-track, one of those earnest, let's all hold hands and save the world songs.

Blessed with a golden tone and an impressive range, Adams has the talent to become a respectable,

mature soul star, if not a diva like Dionne Warwick. But she needs either to write or locate better material than this.

DEBORAH HARRY

*Debravation* (Chrysalis 26033-2)

ANOTHER late developer. Deborah Harry was ostensibly a child of the 1970s, but now, aged 48, she has almost caught up with old flages like Diana Ross and Mick Jagger. Unfortunately her musical vision has failed to extend much beyond the horizons of new wave rock and the disco mix.

At the helm of Blondie, Harry did much to set the tone of modern pop. But now, when she raps out the tough girl lyric to "Stability" against a jaunty dancefloor beat, it sounds tame compared to the more athletic cut and thrust of records by Neneh Cherry or even Betty Boo.

Although still playing the sex siren card on "Strike Me Pink", with its muted trumpet intro reminiscent of Cyndi Lauper's "Time After Time", Harry actually comes across as a pleasant but dotty aunt, the one

who always does something mildly scandalous whenever she comes round to tea.

Aided by her former soulmate and Blondie collaborator Chris Stein, who shares writing and production credits with Arthur Baker, Jon Astley and several others, Harry drifts through *Debravation* with no little aplomb. "Rain" has a gutsy, funky undercurrent, and an intriguing air of mystery surrounds "Dog Star Girl" with its dry, clattery production, backwards tape effects and sinister lyric. But although putting in a respectable effort, she gives the over-riding impression that her heart is no longer in it.

KINKY MACHINE

*Kinky Machine* (Oxygen MCC 10862)

THE thorny question of why so many perfectly good groups pick utterly naïf names surfaces again with the enjoyable, eponymous debut by London four-piece Kinky Machine.

Operating in the honourable tradition of chorus-friendly English rock bands with reedy-voiced singers, they are the latest in a direct line from Mott the Hoople to the Buzzcocks to Big Audio Dynamite.

Dealing the cards from the top of the deck with brisk authority, they boast all of Suede's guitar-group swagger, but none of the arty complications, despite teasing titles like "Candy Decad", "Going Out With God" and "Bring On The Clones". It's fine rock 'n' roll with a tough, all-weather finish.

DAVID SINCLAIR

## CONCERT

### Miseries with guts

Bettie Serveet ICA

art house band either. The bass player sported a pair of sideburns to make Mungo Jerry's Ray Dorset envious, while the group's wardrobe must have necessitated reckless use of a C&A charge card.

As image took a back seat, it allowed the emphasis to be placed on the songs, which invariably began life as gingerly strummed, sweetly tuneful things and escalated into full-blown, heartily shrieked

blazing. Despite the often harrowing content of their material, Bettie Serveet obviously enjoy playing together. Guitarist Peter Visser's relentless burny hopping and shape throwing would have been annoying had it not been for the fact that he appeared to be having a better time than anyone else in the room.

Songs appeared unannounced, familiar only to those owning the band's invigorating debut album, *Debravation*.

singer and lyricist Carol van Dijk was saying was impossible to discern. Random words such as "solution", "trust" and, rather improbably, "bus-stop" peeked through the dense guitar fog.

But a strong sense of torment, loss and barely suppressed frustration prevailed. The final song, "Brain Tag", with its repeated refrain of "Have I ever laid my hands on you before?", could well have been detailing the guilty dilemma of having sex with a long-term platonic friend. Then again, it might have been about a forgetful faith healer. Either way, Bettie Serveet weren't offering any explanations.

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## Term of contract prohibits assignment

Linden Gardens Trust Ltd v

Lenesta Sludge Disposals Ltd and Others

St Martins Property Corporation Ltd and Another v Sir Robert MacAlpine Ltd (formerly Sir Robert MacAlpine and Sons Ltd)

Before Lord Keith of Kinkaid, Lord Bridge of Harwich, Lord Griffiths, Lord Acker and Lord Browne-Wilkinson

[Speeches July 23]

Cause 17(1) of the Joint Contracts Tribunal standard form of building contract for use with appropriate quantities private edition (1963) revised to July 1972 and July 1975, which provided: "The employer shall not without the written consent of the contractor assign this contract, effectively or by deed, such an assignment by the employer."

A party to such a contract could have a genuine commercial interest in ensuring that his contractual relations with the person he chose to contract with were preserved. There was no policy reason to declare a contractual prohibition on assignment of such a contract to be contrary to public policy.

Where the attempted assignment was ineffective, the assignor retained the rights under the contract and could assert them against the other party in case of a breach of contract on the part of that other party.

Where the contract related to development of property which would be occupied by various third parties the original employer, who contracted with the contractor, was entitled to enforce contractual rights on behalf of those third parties who would not directly acquire any rights against the contractor under the contract but who would suffer from defective performance of the contract. Such employer was entitled to substantial damages.

The House of Lords held in dismissing an appeal by the second defendants, MacAlpine and Harvey plc (M &amp; H), in the Linden Gardens appeal, from the Court of Appeal (Lord Justice Staughton and Sir Michael Kerr) (The Times February 27, 1992) (1992 52 B.L.R. 57), whereby the appeal by the plaintiffs, Linden Gardens Trust Ltd was allowed from Judge John

Lloyd, QC, sitting as an official referee. The first defendants, Lenesta Sludge Disposals Ltd, took no part in the proceedings and the third defendant, Ashwell Construction Co Ltd, did not appear from the Court of Appeal.

In the Linden Gardens action for damages for, inter alia, negligence and breach of contract, on the trial of preliminary issues the judge decided that the assignment to Linden Gardens was not effective and that Linden Gardens could not recover the cost of work executed after the date of the assignment see (1990) 52 B.L.R. 93.

The second appeal, the St Martins appeal, was by the defendants, Sir Robert MacAlpine Ltd, from the Court of Appeal (Lord Justice Nourse and Sir Michael Kerr, Lord Justice Staughton dissenting) (The Times February 27, 1992) (1992 52 B.L.R. 57), whereby (a) the court allowed in part the appeal of the first plaintiff, St Martins Property Corporation Ltd (Corporation), and (b) dismissed the appeal by the second plaintiff, Sir Robert MacAlpine Ltd (Investments), against an order dated January 29, 1991, of Judge Boushwar, QC.

On similar preliminary issues as in the Linden Gardens case the court held by a majority that the assignment by Corporation to Investments was invalid and that at the date of the assignment there was no accrued cause of action which could be assigned. The court unanimously held that Corporation was entitled to substantial damages for breach of contract by MacAlpine.

Both the appeals and the cross-appeal were heard together.

Mr Sydney Kentridge, QC, and Mr Justin Fenwick for M &amp; H; Mr John Dyson, QC, and Mr Anthony Spaight for Linden Gardens.

Mr Richard Pennington, QC, and Mr Marcus Tavernier for MacAlpine; Mr Humphrey Lloyd, QC, and Mr David Westcott for Corporation and Investments.

LORD GRIFFITHS, agreeing with Lord Browne-Wilkinson, added that it could not be accepted that in such a contract, namely for work, labour and the supply of materials, the recovery of more than nominal damages for breach of contract was dependent on the plaintiff having a proprietary interest in the subject matter of the contract at the date of breach.

In everyday life contracts for work and labour were constantly being placed by those who had no proprietary interest in the subject matter of the contract.

Further, who actually paid for the repairs was no concern of the defendant who broke the contract.

LORD BROWNE-WILKINSON said that on June 19, 1979 Linden Gardens' predecessor in title, Stock Conversion, as a lessee of the third to sixth floor inclusive of 130 Jermyn Street, London SW, entered into a building contract with M &amp; H, to remove base asbestos from the premises. The contract contained the clause prohibiting the assignment of the contract.

M &amp; H subcontracted the work to the first defendant. The work was completed. But more asbestos, which should have been removed, was found in the building.

Stock Conversion contracted with Ashwell Construction in February 1985 to remove the asbestos. That contract also contained a restriction against assignment. Ashwell completed their work in August 1985.

Meanwhile, Stock Conversion assigned its leasehold interest in Linden Gardens. On July 3, 1985 Stock Conversion issued a writ against the first defendant only. The other two defendants were added later.

By an assignment dated January 14, 1987 Stock Conversion assigned to Linden Gardens its rights of action as landlord and tenant, incidental to the leasehold interest. M &amp; H did not consent to that assignment. Preliminary issues were directed to be tried.

In the St Martins appeal, Corporation began to build shops, offices and flats. They entered into a contract with the local authority that on completion of the development they would be entitled to the grant of a 150-year lease of the site.

On October 29, 1974 they entered into a building contract with MacAlpine, incorporating the JCT standard form (1963 edition) revised July 1972. Clause 17(1) of the contract was identical to the clause in the Linden Gardens appeal.

Under an assignment dated March 25, 1976 Corporation assigned, for full value, to Investments, all their interests in the contract and the full benefit of all their contracts and engagements.

MacAlpine were not asked for nor gave any consent for that assignment.

In 1981 part of the development was found to be defective and remedial works cost about £800,000. In an action by Corporation and Investments the main issues which arose were similar to those in the Linden Gardens appeal.

The two cases raised, or potentially raised, the following issues:

1 Did clause 17(1) prohibit the purported assignment of the benefit of the building contract?

2 Did the clause prohibit the assignment of causes of action for breaches of contract subsisting at the date of the assignments?

3 Was a prohibition on assignment void as being contrary to public policy?

4 Even if the assignments were validly prohibited, were they effective to vest causes of action in the assignees?

5 If so, what was the measure of damages recoverable by the assignee?

6 If the assignments were ineffective, could the original contracting party recover substantial damages?

On its language, clause 17(1) prohibited the assignment by the employer of the benefit of the contract. That, by itself, was fatal to the claim by Investments, as assignee, in the St Martins appeal.

The purported assignment to Linden Gardens without the consent of the contractors constituted a breach of clause 17.

The claim of Linden Gardens must therefore fail unless it could be shown that the prohibition in the clause was either void as being contrary to public policy or, notwithstanding the breach of the clause, the assignment was effective to vest those rights in action in Linden Gardens.

A party to a building contract could have a genuine commercial interest in seeking to ensure that he was in contractual relations only with a person whom he had selected and to whom he had assigned the contract. There was no policy reason why a contractual prohibition on assignment of contractual rights should be held to be void.

The existing authorities, such as in *Turkey (1988) 40 H.R.D. 31*; *Heaton Services Ltd v Cheshire County Council* (1978) 3 AllE.R. 263 and *Reed Publishing Holdings Ltd v King's Reach Investments* (unreported) May 25, 1983, CA (Civil) Transcript No 121 of 1983, established that an attempted assignment of contractual rights in breach of a contractual prohibition was ineffective to transfer such contractual rights.

The law was satisfactorily settled in that sense. If the law was otherwise, it would defeat the legitimate commercial reason for inserting the contractual prohibition, namely, to ensure that the original parties to the contract were not brought into direct contractual relations with third parties.

Therefore, an assignment of contractual rights in breach of a prohibition against such assignment was ineffective to vest the contractual rights in the assignee. Accordingly, the claim by Linden Gardens failed.

The question of the measure of damages recoverable by the assignee did not arise.

MacAlpine accepted that, since the attempted assignment by Corporation of its rights under the contract to Investments was ineffective, Corporation had retained those rights and was entitled to judgment against MacAlpine for any breach of contract.

But, MacAlpine submitted, Corporation was only entitled to nominal damages. Corporation had suffered no loss.

It had parted with its interest in the property before any breach of the building contract. Moreover, Corporation received full value for that interest on its disposal to Investments.

It was said, neither of the plaintiffs had any right to substantial damages. Investments had incurred damage but had no cause of action. Corporation had a cause of action but had suffered no loss.

The present case fell within the rationale of the exceptions to the general rule that a plaintiff could only recover damages for his own loss. The contract was for a large development of property which, by the knowledge of both Corporation and MacAlpine, was going to be occupied, and possibly purchased, by third parties and not by Corporation itself.

Therefore, it could be foreseen that breach caused by a breach would cause loss to a later owner and not merely to the original contractor, Corporation.

It was thus proper to treat the parties as having entered into the contract for the benefit of those to whom Corporation would be entitled to enforce contractual rights for the benefit of those who suffered from defective performance but who, under the terms of the contract, could not acquire any right to hold MacAlpine liable for breach.

Corporation was, thus, entitled to substantial damages for any breach by MacAlpine of the building contract.

Lord Keith delivered a speech concurring with Lord Browne-Wilkinson and Lord Bridge and Lord Acker.

Solicitors: Messrs Jacques &amp; Lewis (in the Linden Gardens appeal); Glovers; Stephenson Harwood (in the St Martins appeal).

## Non-statutory payment for redundancy not liable to income tax

Mairs (Inspector of Taxes) v Haughey

Before Lord Griffiths, Lord Browne-Wilkinson, Lord Mustill and Lord Woolf

[Speeches July 23]

A non-statutory redundancy payment was not chargeable to income tax under Schedule E in section 19(1) of the Income and Corporation Taxes Act 1988 as an entitlement from employment, and the scheme, which H &amp; W 3 could not have to give up a right to a non-statutory redundancy payment was also not chargeable.

The House of Lords dismissed an appeal by the Crown from the Court of Appeal in Northern Ireland (Sir Brian Hutton, Lord Chief Justice, Lord Justice MacDermott and Mr Justice Nicholson) (1992 STC 495) which on May 8, 1992, had dismissed the Crown's appeal by case stated from a special commissioner, Mr Brian O'Brien.

The special commissioner, on May 13, 1991, had determined an appeal by the taxpayer, Mr Robert Haughey, against an assessment to income tax under Schedule E for the year 1989-90 in the sum of £23,542 by reducing the second instalment by £4,506 (element A) to £18,736. A cross-appeal by Mr Haughey against the commissioner's decision in respect of an additional £1,300 (element B) was subsequently withdrawn.

Mr Patrick Coghlin, QC, Mr R. E. Caruthers, QC, of the Northern Ireland Bar, and Mr Laurence Henderson for the Crown; Mr Andrew Park, QC and Mr John Thompson, of the Northern Ireland Bar, for Mr Haughey.

LORD WOOLF said that Mr Haughey had been employed by Harland and Wolff plc (H &amp; W 3) as a shipyard worker. H &amp; W 3 had been publicly owned, the sole shareholder being the Department of Economic Development, Northern Ireland (DED).

In March 1989 an agreement in principle was reached for the privatisation of H &amp; W 3. The creation of a holding company (H &amp; W 2) and an operating subsidiary (H &amp; W 3) had been proposed; 20 per cent of H &amp; W 2 was to be held by the DED, the balance of the shares being held by the public. The operating subsidiary was to be owned by the public and managed by management and employees in accordance with a buy-out arrangement.

Each stage of the scheme had involved the co-operation of the employees. A sufficient number of the employees whom the management wished to retain had agreed to a transfer from H &amp; W 1 to H &amp; W 3 on new terms and con-

ditions of employment, and the management and employee buy-out had to be implemented.

The employees had had attractive conditions of employment in a non-statutory redundancy scheme. The special commissioner had found that the scheme was universally regarded by the employees as a matter of the first importance. The employees were retained by H &amp; W 3 and had to give up their rights under the scheme, which H &amp; W 3 could not have to maintain.

It had been at first envisaged that each transferred employee would be paid 30 per cent of the amount that he would have received under the scheme had he been made redundant on September 1, 1989, the date being made up to 100 per cent in the case of any transferred employee being made redundant within two years thereafter. In Mr Haughey's case 30 per cent would be £4,506 (element A).

After negotiations, an improved offer had been made of an additional £700 or, if more, £100 per complete year of service with H &amp; W 1 (element B) which in Mr Haughey's case would be £1,300.

On July 6, 1989, H &amp; W 1 had brought the negotiations to an end by offering to transfer 2,361 employees, including Mr Haughey, offers of jobs with H &amp; W 3. The offer had had to be accepted by the end of July. All the employees had accepted, and the buy-out had been completed on September 8.

On September 22, Mr Haughey had received a payment consisting of an A element of £4,506 and a B element of £1,300. Both payments had been made under deduction of amounts equivalent to tax and national insurance contributions, the amounts deducted being deposited in a separate bank account pending the outcome of the appeal.

Schedule E in section 19 of the 1988 Act provided: "Tax under this Schedule shall be charged in respect of any office or employment on emoluments therefrom." "Emoluments" was defined in section 13(1) as including "all salaries, fees, wages, perquisites and profits whatsoever".

His Lordship was quite satisfied that the special commissioner and the Court of Appeal had been right to conclude that it had not been a situation where the aggregate sum, consisting of the two elements, should be regarded as having been paid as an inducement to the employees to become or remain employed by H &amp; W 3.

The total payment had been made for the two separate identifiable considerations of (i) the new

terms and conditions of employment and (ii) the termination of the enhanced redundancy scheme.

The important issue raised by the appeal was whether a cash payment made for giving up non-statutory contingent redundancy rights was received by an employee as an emolument from his employment and chargeable to income tax under section 19.

As a first step in their argument, the Revenue submitted that in law a payment made to an employee under the enhanced redundancy scheme, unlike a statutory redundancy payment, would have been taxable.

That submission was inconsistent with the actual treatment by the Revenue of such payments in accordance with a long-standing statement of practice issued in 1981.

Giving full effect to the wide definition of "emoluments" in section 13(1), in the absence of authority his Lordship would have regarded a non-statutory redundancy payment as not falling within the statutory definition of an emolument from employment.

Instead of being an emolument from employment, it was a payment to compensate the employee for not being able to receive emoluments from his employment.

There was, however, an abundance of authority. General assistance was provided by the speeches in *Hickstrasser v Mays* (1960) AC 376 and *Shilton v Wilmshurst* (1991) AC 684.

In those cases, Lord Radcliffe and Lord Templeman respectively had regarded as being outside the charge to tax payments either from a distress fund or to relieve distress. A characteristic of a redundancy payment was that it was to compensate or relieve an employee for what could be the unfortunate consequences of becoming unemployed.

Having referred to *Comptroller-General of Inland Revenue v Knight* (1973) AC 428, his Lordship rejected the Revenue's submission that a non-statutory redundancy payment was taxable.

It was possible to accept their next submission that, nevertheless, the sum paid to buy out the employee's contingent entitlement had been such an emolument. The payment made to satisfy a contingent right to a payment derived its character from the nature of the payment that it replaced.

Lord Griffiths, Lord Acker, Lord Browne-Wilkinson and Lord Mustill agreed.

Solicitors: Solicitor of Inland Revenue; Evered Wells &amp; Hind, Birmingham.

## LEGAL &amp; PUBLIC NOTICES

## PARLIAMENTARY NOTICES

## IN PARLIAMENT SESSION 1992-93

## LONDON UNDERGROUND (GREEN PARK) (ADDITIONAL PROVISION)

NOTICE IS HEREBY GIVEN that application has been made to Parliament in the present Session by London Underground Limited by Petition for Additional Provision to the London Underground Act 1933 to provide a connection between the Piccadilly and Jubilee Lines at Green Park Station with associated emergency escape and fire exits.

1) Construction by the Company of works in the City of Westminster comprising Works A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ.

2) Provision for the Company to form and lay out means of Access from Arlington Street to the proposed works and for additional safeguarding for buildings in the vicinity of the proposed works.

3) Acquisition of lands or subsoil, or new rights only, in the City of Westminster which are required for the purpose of the proposed works.

AND NOTICE IS FURTHER GIVEN that a substituted Plan, substituted Sections and substituted Book of Reference relating to the proposed works have been deposited for public inspection with the Assistant City Solicitor and Secretary, Westminster City Council at One Ship Service, First Floor, Westminster City Council, 45 Victoria Street, London SW1E 6QP.

A copy of the Bill and of the Additional Provision together with an Environmental Statement and a non-technical summary of that Statement may be inspected and copies obtained at the price of £15 for the Bill, £15 for the Additional Provision, £15 for the Environmental Statement and £1 for the non-technical summary at each one of the undermentioned offices.

Objection to the Additional Provision may be made by depositing a written statement of objection in the House of Commons and Petitions to that House against the Additional Provision made by depositing by being deposited in the Private Bill Office of that House at least before the Additional Provision is considered by the Committee of that House to which it may be referred, which will not be before the House of Commons until the date for depositing a Petition against the Bill in the House of Lords is last reading to that House. If the day is a Sunday, Christmas Day or a Bank Holiday, or a day on which the House does not sit, the last date for depositing may be postponed.

Further information may be obtained from the Private Bill Office of the House of Commons or the Office of the Clerk of the Parliament in the House of Lords or the undermentioned Parliamentary Agents.

Dated 23rd July 1993.

LE KING, London Underground Ltd, 25 Broad Street, Westminster, London SW1W 0BD

SHERWOOD &amp; CO, 38 Great Peter Street, London, SW1P 3LR

Legal Advisor to the Company

Parliamentary Agents

## LEGAL NOTICES

## IN CONCEPT SYSTEMS AND CHANGERY DIVISION

NOTICE IS HEREBY GIVEN that the following notices have been received by the Registrar of Companies in the Companies Division of the Registrar of Companies, London, on the following dates:

1. Notice of appointment of liquidator in the case of the company known as CONCEPT SYSTEMS AND CHANGERY DIVISION, Limited, registered in England, No. 1041274, on 27th July 1993, at 10.00 o'clock in the forenoon, for the purposes mentioned in Section 122(1)(f) of the Companies Act 1948.

2. Notice of appointment of liquidator in the case of the company known as CONCEPT SYSTEMS AND CHANGERY DIVISION, Limited, registered in England, No. 1041274, on 27th July 1993, at 10.00 o'clock in the forenoon, for the purposes mentioned in Section 122(1)(f) of the Companies Act 1948.

3. Notice of appointment of liquidator in the case of the company known as CONCEPT SYSTEMS AND CHANGERY DIVISION, Limited, registered in England, No. 1041274, on 27th July 1993, at 10.00 o'clock in the forenoon, for the purposes mentioned in Section 122(1)(f) of the Companies Act 1948.

4. Notice of appointment of liquidator in the case of the company known as CONCEPT SYSTEMS AND CHANGERY DIVISION, Limited, registered in England, No. 1041274, on 27th July 1993, at 10.00 o'clock in the forenoon, for the purposes mentioned in Section 122(1)(f) of the Companies Act 1948.

5. Notice of appointment of liquidator in the case of the company known as CONCEPT SYSTEMS AND CHANGERY DIVISION, Limited, registered in England, No. 1041274, on 27th July 1993, at 10.00 o'clock in the forenoon, for the purposes mentioned in Section 122(1)(f) of the Companies Act 1948.

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9. Notice of appointment of liquidator in the case of the company known as CONCEPT SYSTEMS AND CHANGERY DIVISION, Limited, registered in England, No. 1041274, on 27th July 1993, at 10.00 o'clock in the forenoon, for the purposes mentioned in Section 122(1)(f) of the Companies Act 1948.

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24. Notice of appointment of liquidator in the case of the company known as CONCEPT SYSTEMS AND CHANGERY DIVISION, Limited, registered in England, No. 1



THE TIMES FRIDAY JULY 23 1993

# Lively pitch helps to provide enthralling day at Taunton

By JOHN WOODCOCK

**TAUNTON:** (first day of four: Somerset won toss) Somerset, with two first-innings wickets in hand, are six runs behind Kent.

AFTER 65 overs at Taunton yesterday, 15 wickets had already fallen. Kent having been bowled out for 144 and Somerset being on the run. By close of play Somerset had rallied a little, and the possibility of another two-day championship finish had at least receded.

The pitch looks, and is, rough. But I have seen them like that here before now, and they have yielded plenty of runs. It has pace and bounce, which is in its favour, and it

provided an eventful, competitive and enjoyable day's cricket. At times, though, the ball flew, and occasionally it moved extravagantly off the seam.

Let's say this: it is not what the Murray Report had in mind, but it was better that than watching one or two county openers I can think of grafting their way to 140 not out out of 290 for three in a full day's play.

For Kent, Long made a worthy and unbroken half-century and Fleming a brace, scoring 30. Their counterparts for Somerset were Harden and Rose.

Nor was it a day of quicker bowling from start to finish. To see Mustaq brought on after little more than an hour's play was a pleasant

surprise. His first spell (6-1-29-0) was littered with long hops but when Tavaré switched him to the other end he found not only a length but several suckers for the goosy.

Tavaré seems to have found the secret of persuading Mustaq that he wants to bowl, something Wasim Akram was quite unable to do for Pakistan in the West Indies earlier this year.

This gives the Somerset captain a rare and valuable option. Malherbe, Van Troost and Caddick, when he is there, help to make up one of the stronger county attacks. Van Troost, from Holland, speaks five languages, stands 6ft 11in and, although he is only 20 and gangling with it, he is already as fast as any

Englishman presently playing who comes to mind.

Before we know where we are we shall have an England attack comprising an Australian, a New Zealander, a Dutchman and a West Indian.

It is much to Kent's credit that they produced so many home-grown players. Long, who is the latest of them, is a tall, angular left-hander from Ashford, who is one of only four full-blown Englishmen in the top twelve in the national batting averages.

Had he been caught at first slip off Van Troost when he was two, Kent would have been 17 for four after being put in. But he survived and as a left-hander he was not in awe of

Mushtaq as some of the others were. Kent were all out soon after three o'clock, and with a quarter of an hour still to go to tea Somerset were 34 for five. Marsh, standing well back, had taken two good catches off Headley, the ball still climbing as it came to him.

Tavaré lost his middle stump, first ball, and when Rose came in Kent must have been thinking that the pitch, though they had been entitled to a very much better one, had something to be said for it.

Then came the best and most handsome partnership of the day. Harden and Rose putting themselves in the groundsman's debt by adding 78 and playing some fine strokes while they were about it.

## Gower offers reminder of what England are missing

By IVO TENNANT

**LORD'S** (first day of four: Hampshire won toss) Hampshire have scored 275 for eight wickets against Middlesex.

WE HAVE heard much this week about Ian Botham's zest for playing cricket having been diminished through not being selected for England. David Gower knows better than anyone how he feels. Fortunately, he is also aware that there are many who would consider it a crying shame if he, too, retired this season when he can still bat as he did in making 91 yesterday.

MCC members, for a start. This was Gower's first innings at Lord's since the uprising of last winter and their goodwill when he went through the Long Room was as evident as their support for him that memorable evening at Central Hall, Westminster. If he has batted better of late, it can only have been on the first day of another Test this summer.

As the opening Test at Old Trafford was commencing, Gower was making 153 for Hampshire against Nottinghamshire. Now, his second-highest score of the season came as England were getting underway at Headingley, which was, after all, where he steered his country to victory last year. Even if all this amounted to nothing more than coincidence and even though this was Lord's, it was still batting that belonged elsewhere.

It was, admittedly, accentuated by the fact that the rest of Hampshire's batting was decidedly ordinary. Without Smith, who is at Headingley, in favour, and Marshall, who is said to be out of breath, they were hard put to cope with whichever bowler caught Gower's eye.

Poor Morris had a dreadful time trying to force the ball off the square, especially once Middlesex had realised that square-cutting was what he did best. His first ten runs took him 77 balls and he was

fortunate indeed that, for so long as Gower was at the other end, he could afford only to look to keep his wicket intact. It was to his credit that he finished with a half-century.

Cox had gone early, attempting to drive square of the wicket when neither forward nor back. It is a shot with which Gower is familiar, the difference being that he can persuade the ball to the boundary. When he reached his half-century with perhaps the pick of his 12 fours, a back foot drive off Embury that bisected the cover ring, Morris had reached only 22.

When Sobers stroked the ball like that, C. L. R. James would write that it was "not-a-man-move" shot. None both to do so now, although in the case of Tufnell inertia once or twice came into the reckoning. He has been disciplined by the championship leaders for disobeying an order from Gillingham at Edgbaston last Saturday, and looked, for much of the day, as if he would rather have been elsewhere, be it the pavilion or Headingley. Middlesex will say no more other than that the matter is now closed.

Neither he, nor Embury, who collected three wickets in the afternoon, could keep Gower in check. A century could never have seemed more likely. Yet he was out, as he often is, in an unsatisfactory way — looking to run the ball through gully, as he had done with some ease hitherto, he chipped on to his off stump.

For a little more than three hours, he had enthralled. In terms of bald statistics — 494 runs at 38 before this innings — he is not batting well enough to play for England. But Fred Titmus, the assessor watching him here, will not have been taken in by that. Hampshire then collapsed to 216 for eight before Connor and Thurstfield unexpectedly added 59 in the last session to ensure that Gower's efforts had not been in vain.



Evasive action: Slater ducks under a bouncer from Iltis as the bowler presses for a breakthrough at Headingley. Match report, page 40

## Morris maintains control Barnett defiant

By MICHAEL HENDERSON

**WORCESTER:** (first day of four: Worcestershire won toss) Worcestershire scored 267 in their first innings against Glamorgan.

WHEN scaffolding covers the cathedral on the other side of the Severn, metaphors spring quickly to mind at New Road. Worcestershire are in need of more thorough structural appraisal than a mere touch-up of a few perpendicular columns. The team needs to be rebuilt.

Ever since Phil Neale lifted the Benson and Hedges Cup two years ago, they have been searching for a new identity. In Tim Curtis's first season as captain they finished above only Durham last year, which is not necessarily a rebuke for Neale's successor.

How heavily they rely on Curtis and Hick may be gauged by D'Oliveira's presence yesterday at No 4, a position he is not entitled to occupy on grounds of ability.

In 12 seasons with Worcestershire he has made ten hundreds. This year he had not reached 50 in 11 first-class innings until he made 94 against Hampshire last week.

Perhaps that trip to Portsmouth liberated him for the made 63 here before driving Darren Thomas, upstitch to point. That shot summarised Worcestershire's day because, after winning a good toss, they failed to make the most of their advantage.

In his first game of the summer, Thomas ended up with four wickets, which was almost as notable a feat as the six catches Metson snaffled behind the stumps.

Thomas tended to bang the ball in too short but, at 18, he already has the unteachable knack of getting wickets.

Derbyshire at Chesterfield, and later took five more in an innings at Canterbury.

He certainly passes the Trueman test, which is a polite way of saying he is sturdily built behind and he is certainly brisk enough to make the batsman hurry his stroke.

On three separate occasions Thomas, Watkin and Dale each took a wicket in their first over back. It was simply one of those days for Hugh Morris whose fine running catch, at mid-on, which removed Radford, ended the Worcestershire innings just before stumps.

It was a good day in other ways too. Hick, apparently oblivious to the trap Morris had set at deep square leg, promptly hooked Watkin down the throat of Dale, who had been sent there for the purpose.

Kim Barnett, the Derbyshire captain who played in three Tests against Australia in their 1989 tour, yesterday carried his bat for the third time in his last 20 championship innings, scoring 73 of his side's 183 after they had been put in by Sussex on a green pitch at Derby.

A spell of three wickets in 16 balls by Franklyn Stephenson was largely responsible for Derbyshire declining to 95 for six before Alan Warner and Simon Baze provided Barnett with much-needed support.

Base hit back strongly but despite his five for 58 in 17 overs, Stephenson's unbeaten 57 from 66 balls enabled Sussex to finish the day on level terms at 187 for nine.

Durham took maximum batting points for only the second time this season as a rousing 80 from 124 balls by

Wayne Larkins and a dogged, unbeaten 87 from Phil Bainbridge helped them to 364 for eight against Essex at Chelmsford. Peter Such rushed back from Headingley in time to take the field early in the afternoon session but failed to take a wicket. John Childs was easily the most dangerous bowler and has figures of five for 70.

Mike Watkinson, Lancashire's stand-in captain against Nottinghamshire at Old Trafford, made the day's only championship century. He hit a six and 14 fours to lead a spirited recovery from 132 for six after Chris Cairns had cut a swathe through the specialist batsmen.

Nigel Briers, the Leicestershire captain, put Warwickshire in on a damp pitch at Grace Road and must have been disappointed to see them reach 244, regret no doubt compounded when his off stump was knocked back by Allan Donald before the close.

## Bowlers hold advantage in dour war of attrition

By JACK BAILEY

**NORTHAMPTON** (first day of four: Surrey won toss) Surrey, with six wickets in hand, are 159 runs behind Northamptonshire.

THIS meeting between Surrey, lying second, and Northamptonshire, in fourth place in the championship, was bound to result in a dour battle. A battery of seam bowling on both sides ensured an inordinately long day and a war of attrition in which neither side can yet claim a clear advantage.

Northamptonshire were well-served by Felton's obdurate innings, a robust one by Taylor's three wickets for 24 in 11 penetrative overs. For Surrey, missing three stalwarts of the Test match, young Butcher distinguished himself by picking up three prime wickets and Lynch was brilliant at the slip. Ward held on grimly to steady Surrey's ship. But there were few highlights.

Those who wondered whether Lamb's accusations of last summer would be remembered by Wagar during this, their first meeting since those contentious times, were quickly left in no doubt. Wagar's first ball to the Northamptonshire captain was a bouncer. So was the second, rightly called no-ball, and then everyone got on with the game.

The most predictable thing about Northamptonshire's in-

nings of 238, completed at 4.45pm owing to Surrey's pedestrian over-rate and a delay in the tea interval, pending the fall of the last wicket, was the length of the bowlers' run-up to the wicket. Smith was used for only five overs of spin and took two wickets while the tail was being tinkered out. Otherwise, it was a diet of fast and fast-medium on a grassy pitch.

The ball moved off the seam, though never extravagantly. There was life and there was bounce. Northamptonshire's batsmen were chiefly inclined to the cautious, watchful approach that served a purpose in that there were enough thick edges to keep the score moving. But few established the permanence that goes with an air of command.

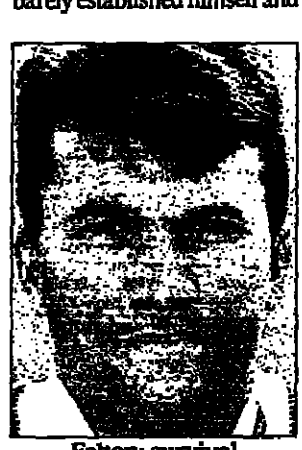
Fordham tried, but had barely established himself and

had survived one chance when he was dismissed by a classical piece of Wagar bowling: a full-length inswinging found the batsman half-forward and the pattern of spirited resistance, and the voyage into double figures before a fatal error occurred, was established.

Bailey was one exception. His prolific season suffered a minor setback when he guided Benjamin into square-leg's hands before he had even settled.

Another maverick was Curran. Coming in after his side had struggled to 123 for four on the stroke of lunch and after Felton had nudged and sliced his way past a valuable 50, Curran decided that, for him, the bold approach was best. A couple of bludgeoned fours were followed by a flat straight six and another to mid-wicket and he was on his way to 41 off only 31 balls. The tail then waggled with sufficient strength to see that Northamptonshire completed their innings in about par for the course.

But there was little fear, in yesterday's conditions, that Surrey's batsmen would fare much better. Taylor, aided by two inside edges on to the stumps by Lynch and Brown, accounted for three of the first four Surrey wickets, which went down for 45. Surrey's two most obvious chances of commanding the field had thus perished to him.



Felton: survival

## Induráin closes on third Tour success

By OUR SPORTS STAFF

ALTHOUGH the grueling seventeenth stage of the Tour de France was won yesterday by Claudio Chiappucci, the flamboyant Italian, Miguel Induráin inexorably tightened his grip on a third consecutive title as the cycle race left the Pyrenees.

The Spaniard stayed in the chasing pack yesterday to finish 24th, 1min 24sec behind the breakaway trio of the two Italians, Chiappucci and Massimo Giummo, and Spain's Jon Unzuaga. Induráin maintained his overall advantage of 4min 28sec over the Colombian, Alvaro Mejia, and his victory in Paris on Sunday looks such a formality that Spanish railways have commissioned a pair of sleeper trains to run from Madrid to Barcelona and arrive in the French capital for the finish.

Induráin gave little hope to his chasers yesterday. "I won't be celebrating tonight because there are still three days left," he said. "But I feel less tired finishing the Tour this year than last year. That's proof of the form I'm in."

Yesterday's 189km stage, from Tarbes to Pau, included the ascent of Tourmalet, 6,939ft high and rated "out of category" in the race's grading of difficulty. However, the final third was mostly downhill and only Chiappucci, Giummo and Unzuaga were able to break away from the pack and hold a lead.

As the final mountain stage, it represented the last chance for Chiappucci, who finished in the top three over the last three Tours, to regain some prestige after Induráin destroyed his challenge in the Alps. The Italian moved up a place into sixth, ahead of Andy Hampsten.

Induráin, meanwhile, shadowed the Tour's best climber, Tony Rominger, up every pass but the pace of the Swiss up the Tourmalet proved too much. Rominger, fourth overall, moved 55sec clear but Induráin's Banesto team organised a chase on the descent to bring their leader level again.

Two prominent riders withdrew: Eric Breukink, the Dutchman, who was third in 1990, because of a knee injury, and Laurent Jalabert, of France.

### DETAILS

RESULTS: seventeenth stage (Tarbes to Pau, 189km): 1, C. Induráin (Spa), 4:28. 2, A. Rominger (Sui), 4:30. 3, M. Giummo (Ita), 4:31. 4, A. Chiappucci (Ita), 4:32. 5, J. Unzuaga (Spa), 4:33. 6, J. Binda (Ita), 4:34. 7, A. Mezard (Spa), 4:35. 8, J. Binda (Ita), 4:36. 9, M. Giummo (Ita), 4:37. 10, J. Binda (Ita), 4:38. 11, J. Binda (Ita), 4:39. 12, J. Binda (Ita), 4:40. 13, J. Binda (Ita), 4:41. 14, J. Binda (Ita), 4:42. 15, J. Binda (Ita), 4:43. 16, J. Binda (Ita), 4:44. 17, J. Binda (Ita), 4:45. 18, J. Binda (Ita), 4:46. 19, J. Binda (Ita), 4:47. 20, J. Binda (Ita), 4:48. 21, J. Binda (Ita), 4:49. 22, J. Binda (Ita), 4:50. 23, J. Binda (Ita), 4:51. 24, J. Binda (Ita), 4:52. 25, J. Binda (Ita), 4:53. 26, J. Binda (Ita), 4:54. 27, J. Binda (Ita), 4:55. 28, J. Binda (Ita), 4:56. 29, J. Binda (Ita), 4:57. 30, J. Binda (Ita), 4:58. 31, J. Binda (Ita), 4:59. 32, J. Binda (Ita), 5:00. 33, J. Binda (Ita), 5:01. 34, J. Binda (Ita), 5:02. 35, J. Binda (Ita), 5:03. 36, J. 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# Christie in testing rehearsal

By DAVID POWELL, ATHLETICS CORRESPONDENT

THE "sold-out" notices will be up at the TSB grand prix at Crystal Palace tonight, just as they will at Gateshead seven days hence, when Linford Christie meets Carl Lewis. This is Christie's last warm-up race for next Friday's big night and he meets Lewis's under-study, Leroy Burrell. But there is more, much more to enjoy.

Inspired by Lewis, Burrell followed his footsteps from the University of Houston to the Santa Monica Track Club, with the same coach and the same manager, and finally to the 100 metres world record, before Lewis took it back. If Burrell can soften up Christie by inflicting upon him his first 100 metres defeat of the season, Lewis would have the psychological edge next week.

Christie is one of seven Olympic champions appearing. The others are Maksim Tarasov (pole vault), Jan Zelezný (javelin), Javier Sotomayor (high jump), Quincy Watts (400 metres) and the two 400 metres hurdles winners, Sally Gunnell and Kevin Young. With Colin Jackson there, too, the three best acts in world hurdling are present.

But among Olympic champions missing is Jackson's closest friend and fiercest rival, Mark McKoy. More important, McKoy might also be absent from the world championships; he is chancing his luck by missing the Canadian trials, despite warnings that he must attend.

McKoy has priced himself out of this evening's fixture. Not that the promoter, Andy Norman, is bothered. Norman believes that Jackson's close ties with McKoy have helped the Canadian to the Olympic and world indoor titles which Jackson had sought.

McKoy trains with Jackson and shares his coach, last Saturday, at the AAA championships, he was a guest in the Welshman's hospitality box. Norman is loath to help McKoy any more by offering

him the hospitality of races in Britain against Jackson. In this meeting three years ago, Steve Backley broke Zelezný's world record. Since then Zelezný has regained it and won the Olympic title. Backley has spent the last two years competing against injury and tonight is his first competition of the season, a desperate throw of the javelin to try to book his place in Britain's world championship team.

The best news yesterday was that Curtis Robb is back to racing a week ahead of schedule after a virus. "He has had the results of a blood test and is clear," Ernie Gallagher, his coach, said. Sixth in the Olympic 800 metres last year, Robb races that distance tonight. Martin Steele, the fastest man in the world this year, is there to greet him.

"We hope to make the final of the world championships and maybe get a medal," Gallagher said. David Grindley, who races Watts tonight, has set himself the same target.

It has not been the ideal week's preparation for Grindley. He has had treatment on a sore knee and has had a cold but he still hopes to give Watts a run. "I have got ambitions for a medal at the world championships, so I have got to get closer than that," he said.

Perhaps the most compelling viewing will come in the 5,000 metres. Robb Denmark against a group of Africans from the 13min 05sec to 13min 15sec bracket. "I asked for a tough race and I have got it," Denmark said.

He is annoyed that it is the first men's final on the programme, before the ground fills up and live television coverage starts. "There is a distinct lack of respect for the event in this country," he said. "It would not happen anywhere else; I'm peeved."

# Put through the hoop at Hurlingham Club



FREUD ON FRIDAY

There are, there really are, seven-letter games beginning with c and ending with t at which we excel. The last time England played New Zealand at croquet we beat them 17-3 and the Kiwis are better than the Australians.

The British Open is currently on at the Hurlingham Club, a lush and verdant venue in the hinterland of Putney Bridge — and the names of the 52 contestants who were deemed eligible for this by virtue of their match performances would make patriots proud.

"This one," said a man with a green and white blazer, pointing to a young croqueteer, "is one of ours not like the one over there." The game turned out to be between a man from Guildford and one from Somerset.

One does not instantly think of croquet as a competitive pursuit — rather as a pastime, like French cricket. Seeing "croquet lawn" as an amenity of a country house hotel is taken as shorthand for "no blacks, or children: gentlemen are requested to wear ties in the dining room". Rather as "heliport landing pad" is an indication of a lounge and rakish clientele.

But competitive it is — complicated also: not just hitting coloured balls through hoops as they do at the vicar's tea party, but one croquet and roquet, makes breaks, peels (pushing ball through hoop) triple peels, creates leaves... and all the while one removes chips from hoops and puts them in one's pocket and remembers what one has done and what

there is still to do. As it is a game of honour, there are no referees.

Croquet was once the pastime of elderly practitioners — that has gone by the board: the average age has decreased by 40 years and the stars of the game seem to be young, unemployed graduates of statistics, law and economics. They are people with a fascination for logic and a social background that exposes them to croquet clubs, of which there are 130 in England but none in inner cities and few in the north.

It is an inexpensive sport: £100 will see you into the requisite clothing and footwear and get you a mallet — which will last a decade — only gets broken in fits of

pique and pique is a prerequisite of beginners.

Robert Fulford is defending his title of Open champion: aged 23, he should have got a maths degree — blew it by playing croquet. He is a solid man, as befits one who pursues a diet of Coke and chips. We watched him and his partner winning a round of the doubles with authority — not conceded because he is good, but good because he has about him the degree of conceit without which one achieves nothing.

Novices sitting around the ground under instruction from veterans watch and say: "It is like billiards." There is a bit of billiards about it, though without backspin: it is also like chess, and petanque, and an element of

bowls and baseball. You need a terrific eye, expert aim and the ability to gauge, when you croquet one ball against another, where both will end. Fulford achieves his nine hoops (there is some really good technical reason for taking a rest after nine hoops, leaves his opponents' balls separated by the stick and watches R.J. Brown, of Surbiton, make a hash of it.

Around the ground knowledgeable people nod to each other and a weather-beaten woman, having no one to whom to nod, claps. Croquet has been with us since its genesis in Ireland in 1830. The Open is in its 90th year. The Hurlingham Club, HQ of the

English sport, is Raj-like in its facilities. Green grass, wicker chairs, helpful staff, wide verandas and the provision of afternoon teas with crumpets, toasted tea cakes, currant buns and scones.

The Croquet Association — ours is The Association, other countries call them Croquet Association of Australia, New Zealand, South Africa etc — have their offices on the premises and enjoy an easy, friendly relationship with their landlords.

Occasionally they find sponsors who are allowed to display discreet, tasteful banners: Angostura Bitters, Bombay and Cooper's marmalade supported the sport in their time and took advantage of the club's facilities, like the Harness Room,

where there is excellent roast beef for those who are properly dressed.

Our unsung heroes travel the world to defeat national rivals but, because there are only about 5,000 active players, one hears little about them nor do they attract croquet groups or hold annual croquet dinners.

The game operates in the perpetual shade of people thinking that it is a pleasant way of spending an afternoon when, in reality, it is a game of quite astonishing skill, probably more fun to play than to watch, not for the colourblind but involving people of genuine charm.

I should be pleased if my daughters married croquet players.

Swinging affair: a competitor in the British Open croquet championships at the Hurlingham Club yesterday. Photograph: Marc Aspland

Swinging affair: a competitor in the British Open croquet championships at the Hurlingham Club yesterday. Photograph: Marc Aspland

# Hill asks Williams to renew contract

FROM OLIVER HOLT IN HOCKENHEIM

FAR from being disheartened by his ill fortune at Silverstone, Damon Hill arrived here yesterday in bullish mood, urging his employer, Frank Williams, to offer him a new contract for next season.

Hill, 32, has grown in stature with every race in his debut season in Formula One and was cheered of probable victory at the British grand prix when the engine of his Williams-Renault failed on the 42nd lap.

He has finished second in four races and lies in fourth place in the drivers' championship. He clearly shares the belief, held by a majority of paddock observers, that he has done well enough to be given another chance next year.

"There have been some loose negotiations and it is still early days as far as talks go," Hill said. "But I have to think of my career and I want to know fairly soon what is happening. I think it would be a shame if, having invested me a bit of money to grow, Frank did not give me another contract."

Williams had other things on his mind yesterday. He spent the afternoon in a meeting with other team owners, trying to thrash out a compromise solution that will stop the championship being thrown into chaos by the immediate ban on active suspension announced by Fisa, the sport's governing body, last week. The ban is in abeyance pending appeals by Williams and Footwork.

# FOR THE RECORD

## ATHLETICS

NICE: Grand prix: 200m: 1. F. Fredericks (Nam), 20.41sec. 2. D. Capobianco (Nam), 20.47. 3. D. Elong (Nigeria), 20.48. 400m: 1. R. K. (Ken), 44.56. 2. A. Valmon (USA), 45.53. 3. S. B. (Ken), 46.44. 800m: 1. M. Steele (GB), 2:00.00. 2. W. T. (Ken), 2:01.00. 1,500m: 1. S. Doyle (Ire), 3:34.39. 2. M. O'Sullivan (Ire), 3:35.13. 3. M. K. (Ken), 3:35.44. 5,000m: 1. J. K. (Ken), 14:02.00. 2. P. Thebaud (F), 14:08.11. 6. V. Nyong'o (Ken), 14:10.00. 10,000m: 1. J. K. (Ken), 29:02.00. 2. P. Thebaud (F), 29:08.11. 3. A. (Ken), 29:10.00. 15,000m: 1. J. K. (Ken), 43:02.00. 2. P. Thebaud (F), 43:08.11. 3. A. (Ken), 43:10.00. 20,000m: 1. J. K. (Ken), 57:02.00. 2. P. Thebaud (F), 57:08.11. 3. A. (Ken), 57:10.00. 25,000m: 1. J. K. (Ken), 71:02.00. 2. P. Thebaud (F), 71:08.11. 3. A. (Ken), 71:10.00. 30,000m: 1. J. K. (Ken), 85:02.00. 2. P. Thebaud (F), 85:08.11. 3. A. (Ken), 85:10.00. 35,000m: 1. J. K. (Ken), 99:02.00. 2. P. Thebaud (F), 99:08.11. 3. A. (Ken), 99:10.00. 40,000m: 1. J. K. (Ken), 113:02.00. 2. P. Thebaud (F), 113:08.11. 3. A. (Ken), 113:10.00. 45,000m: 1. J. K. (Ken), 127:02.00. 2. P. Thebaud (F), 127:08.11. 3. A. (Ken), 127:10.00. 50,000m: 1. J. K. (Ken), 141:02.00. 2. P. Thebaud (F), 141:08.11. 3. A. (Ken), 141:10.00. 55,000m: 1. J. K. (Ken), 155:02.00. 2. P. Thebaud (F), 155:08.11. 3. A. (Ken), 155:10.00. 60,000m: 1. J. K. (Ken), 169:02.00. 2. P. Thebaud (F), 169:08.11. 3. A. (Ken), 169:10.00. 65,000m: 1. J. K. (Ken), 183:02.00. 2. P. Thebaud (F), 183:08.11. 3. A. (Ken), 183:10.00. 70,000m: 1. J. K. (Ken), 197:02.00. 2. P. Thebaud (F), 197:08.11. 3. A. (Ken), 197:10.00. 75,000m: 1. J. K. (Ken), 211:02.00. 2. P. Thebaud (F), 211:08.11. 3. A. (Ken), 211:10.00. 80,000m: 1. J. K. (Ken), 225:02.00. 2. P. Thebaud (F), 225:08.11. 3. A. (Ken), 225:10.00. 85,000m: 1. J. K. (Ken), 239:02.00. 2. P. Thebaud (F), 239:08.11. 3. A. (Ken), 239:10.00. 90,000m: 1. J. K. (Ken), 253:02.00. 2. P. Thebaud (F), 253:08.11. 3. A. (Ken), 253:10.00. 95,000m: 1. J. K. (Ken), 267:02.00. 2. P. Thebaud (F), 267:08.11. 3. A. (Ken), 267:10.00. 100,000m: 1. J. K. (Ken), 281:02.00. 2. P. Thebaud (F), 281:08.11. 3. A. (Ken), 281:10.00. 105,000m: 1. J. K. (Ken), 295:02.00. 2. P. Thebaud (F), 295:08.11. 3. A. (Ken), 295:10.00. 110,000m: 1. J. K. (Ken), 309:02.00. 2. P. Thebaud (F), 309:08.11. 3. A. (Ken), 309:10.00. 115,000m: 1. J. K. (Ken), 323:02.00. 2. P. Thebaud (F), 323:08.11. 3. A. (Ken), 323:10.00. 120,000m: 1. J. K. (Ken), 337:02.00. 2. P. Thebaud (F), 337:08.11. 3. A. (Ken), 337:10.00. 125,000m: 1. J. K. (Ken), 351:02.00. 2. P. Thebaud (F), 351:08.11. 3. A. (Ken), 351:10.00. 130,000m: 1. J. K. (Ken), 365:02.00. 2. P. Thebaud (F), 365:08.11. 3. A. (Ken), 365:10.00. 135,000m: 1. J. K. (Ken), 379:02.00. 2. P. Thebaud (F), 379:08.11. 3. A. (Ken), 379:10.00. 140,000m: 1. J. K. (Ken), 393:02.00. 2. P. Thebaud (F), 393:08.11. 3. A. (Ken), 393:10.00. 145,000m: 1. J. K. (Ken), 407:02.00. 2. P. Thebaud (F), 407:08.11. 3. A. (Ken), 407:10.00. 150,000m: 1. J. K. (Ken), 421:02.00. 2. P. Thebaud (F), 421:08.11. 3. A. (Ken), 421:10.00. 155,000m: 1. J. K. (Ken), 435:02.00. 2. P. Thebaud (F), 435:08.11. 3. A. (Ken), 435:10.00. 160,000m: 1. J. K. (Ken), 449:02.00. 2. P. Thebaud (F), 449:08.11. 3. A. (Ken), 449:10.00. 165,000m: 1. J. K. (Ken), 463:02.00. 2. P. Thebaud (F), 463:08.11. 3. A. (Ken), 463:10.00. 170,000m: 1. J. K. (Ken), 477:02.00. 2. P. Thebaud (F), 477:08.11. 3. A. (Ken), 477:10.00. 175,000m: 1. J. K. (Ken), 491:02.00. 2. P. Thebaud (F), 491:08.11. 3. A. (Ken), 491:10.00. 180,000m: 1. J. K. (Ken), 505:02.00. 2. P. Thebaud (F), 505:08.11. 3. A. (Ken), 505:10.00. 185,000m: 1. J. K. (Ken), 519:02.00. 2. P. Thebaud (F), 519:08.11. 3. A. (Ken), 519:10.00. 190,000m: 1. J. K. (Ken), 533:02.00. 2. P. Thebaud (F), 533:08.11. 3. A. (Ken), 533:10.00. 195,000m: 1. J. K. (Ken), 547:02.00. 2. P. Thebaud (F), 547:08.11. 3. A. (Ken), 547:10.00. 200,000m: 1. J. K. (Ken), 561:02.00. 2. P. Thebaud (F), 561:08.11. 3. A. (Ken), 561:10.00. 205,000m: 1. J. K. (Ken), 575:02.00. 2. P. Thebaud (F), 575:08.11. 3. A. (Ken), 575:10.00. 210,000m: 1. J. K. (Ken), 589:02.00. 2. P. Thebaud (F), 589:08.11. 3. A. (Ken), 589:10.00. 215,000m: 1. J. K. (Ken), 603:02.00. 2. P. Thebaud (F), 603:08.11. 3. A. (Ken), 603:10.00. 220,000m: 1. J. K. (Ken), 617:02.00. 2. P. Thebaud (F), 617:08.11. 3. A. (Ken), 617:10.00. 225,000m: 1. J. K. (Ken), 631:02.00. 2. P. Thebaud (F), 631:08.11. 3. A. (Ken), 631:10.00. 230,000m: 1. J. K. (Ken), 645:02.00. 2. P. Thebaud (F), 645:08.11. 3. A. (Ken), 645:10.00. 235,000m: 1. J. K. (Ken), 659:02.00. 2. P. Thebaud (F), 659:08.11. 3. A. (Ken), 659:10.00. 240,000m: 1. J. K. (Ken), 673:02.00. 2. P. Thebaud (F), 673:08.11. 3. A. (Ken), 673:10.00. 245,000m: 1. J. K. (Ken), 687:02.00. 2. P. Thebaud (F), 687:08.11. 3. A. (Ken), 687:10.00. 250,000m: 1. J. K. (Ken), 701:02.00. 2. P. Thebaud (F), 701:08.11. 3. A. (Ken), 701:10.00. 255,000m: 1. J. K. (Ken), 715:02.00. 2. P. Thebaud (F), 715:08.11. 3. A. (Ken), 715:10.00. 260,000m: 1. J. K. (Ken), 729:02.00. 2. P. Thebaud (F), 729:08.11. 3. A. (Ken), 729:10.00. 265,000m: 1. J. K. (Ken), 743:02.00. 2. P. Thebaud (F), 743:08.11. 3. A. (Ken), 743:10.00. 270,000m: 1. J. K. (Ken), 757:02.00. 2. P. Thebaud (F), 757:08.11. 3. A. (Ken), 757:10.00. 275,000m: 1. J. K. (Ken), 771:02.00. 2. P. Thebaud (F), 771:08.11. 3. A. (Ken), 771:10.00. 280,000m: 1. J. K. (Ken), 785:02.00. 2. P. Thebaud (F), 785:08.11. 3. A. (Ken), 785:10.00. 285,000m: 1. J. K. (Ken), 799:02.00. 2. P. Thebaud (F), 799:08.11. 3. A. (Ken), 799:10.00. 290,000m: 1. J. K. (Ken), 813:02.00. 2. P. Thebaud (F), 813:08.11. 3. A. (Ken), 813:10.00. 295,000m: 1. J. K. (Ken), 827:02.00. 2. P. Thebaud (F), 827:08.11. 3. A. (Ken), 827:10.00. 300,000m: 1. J. K. (Ken), 841:02.00. 2. P. Thebaud (F), 841:08.11. 3. A. (Ken), 841:10.00. 305,000m: 1. J. K. (Ken), 855:02.00. 2. P. Thebaud (F), 855:08.11. 3. A. (Ken), 855:10.00. 310,000m: 1. J. K. (Ken), 869:02.00. 2. P. Thebaud (F), 869:08.11. 3. A. (Ken), 869:10.00. 315,000m: 1. J. K. (Ken), 883:02.00. 2. P. Thebaud (F), 883:08.11. 3. A. (Ken), 883:10.00. 320,000m: 1. J. K. (Ken), 897:02.00. 2. P. Thebaud (F), 897:08.11. 3. A. (Ken), 897:10.00. 325,000m: 1. J. K. (Ken), 911:02.00. 2. P. Thebaud (F), 911:08.11. 3. A. (Ken), 911:10.00. 330,000m: 1. J. K. (Ken), 925:02.00. 2. P. Thebaud (F), 925:08.11. 3. A. (Ken), 925:10.00. 335,000m: 1. J. K. (Ken), 939:02.00. 2. P. Thebaud (F), 939:08.11. 3. A. (Ken), 939:10.00. 340,000m: 1. J. K. (Ken), 953:02.00. 2. P. Thebaud (F), 953:08.11. 3. A. (Ken), 953:10.00. 345,000m: 1. J. K. (Ken), 967:02.00. 2. P. Thebaud (F), 967:08.11. 3. A. (Ken), 967:10.00. 350,000m: 1. J. K. (Ken), 981:02.00. 2. P. Thebaud (F), 981:08.11. 3. A. (Ken), 981:10.00. 355,000m: 1. J. K. (Ken), 995:02.00. 2. P. Thebaud (F), 995:08.11. 3. A. (Ken), 995:10.00. 360,000m: 1. J. K. (Ken), 1009:02.00. 2. P. Thebaud (F), 1009:08.11. 3. A. (Ken), 1009:10.00. 365,000m: 1. J. K. (Ken), 1023:02.00. 2. P. Thebaud (F), 1023:08.11. 3. A. (Ken), 1023:10.00. 370,000m: 1. J. K. (Ken), 1037:02.00. 2. P. Thebaud (F), 1037:08.11. 3. A. (Ken), 1037:10.00. 375,000m: 1. J. K. (Ken), 1051:02.00. 2. P. Thebaud (F), 1051:08.11. 3. A. (Ken), 1051:10.00. 380,000m: 1. J. K. (Ken), 1065:02.00. 2. P. Thebaud (F), 1065:08.11. 3. A. (Ken), 1065:10.00. 385,000m: 1. J. K. (Ken), 1079:02.00. 2. P. Thebaud (F), 1079:08.11. 3. A. (Ken), 1079:10.00. 390,000m: 1. J. K. (Ken), 1093:02.00. 2. P. Thebaud (F), 1093:08.11. 3. A. (Ken), 1093:10.00. 395,000m: 1. J. K. (Ken), 1107:02.00. 2. P. Thebaud (F), 1107:08.11. 3. A. (Ken), 1107:10.00. 400,000m: 1. J. K. (Ken), 1121:02.00. 2. P. Thebaud (F), 1121:08.11. 3. A. (Ken), 1121:10.00. 405,000m: 1. J. K. (Ken), 1135:02.00. 2. P. Thebaud (F), 1135:08.11. 3. A. (Ken), 1135:10.00. 410,000m: 1. J. K. (Ken), 1149:02.00. 2. P. Thebaud (F), 1149:08.11. 3. A. (Ken), 1149:10.00. 415,000m: 1. J. K. (Ken), 1163:02.00. 2. P. Thebaud (F), 1163:08.11. 3. A. (Ken), 1163:10.00. 420,000m: 1. J. K. (Ken), 1177:02.00. 2. P. Thebaud (F), 1177:08.11. 3. A. (Ken), 1177:10.00. 425,000m: 1. J. K. (Ken), 1191:02.00. 2. P. Thebaud (F), 1191:08.11. 3. A. (Ken), 1191:10.00. 430,000m: 1. J. K. (Ken), 1205:02.00. 2. P. Thebaud (F), 1205:08.11. 3. A. (Ken), 1205:10.00. 435,000m: 1. J. K. (Ken), 1219:02.00. 2. P. Thebaud (F), 1219:08.11. 3. A. (Ken), 1219:10.00. 440,000m: 1. J. K. (Ken), 1233:02.00. 2. P. Thebaud (F), 1233:08.11. 3. A. (Ken), 1233:10.00. 445,000m: 1. J. K. (Ken), 1247:02.00. 2. P. Thebaud (F), 1247:08.11. 3. A. (Ken), 1247:10.00. 450,000m: 1. J. K. (Ken), 1261:02.00. 2. P. Thebaud (F), 1261:08.11. 3. A. (Ken), 1261:10.00. 455,000m: 1. J. K. (Ken), 1275:02.00. 2. P. Thebaud (F), 1275:08.11. 3. A. (Ken), 1275:10.00. 460,000m: 1. J. K. (Ken), 1289:02.00. 2. P. Thebaud (F), 1289:08.11. 3. A. (Ken), 1289:10.00. 465,000m: 1. J. K. (Ken), 1303:02.00. 2. P. Thebaud (F), 1303:08.11. 3. A. (Ken), 1303:10.00. 470,000m: 1. J. K. (Ken), 1317:02.00. 2. P. Thebaud (F), 1317:08.11. 3. A. (Ken), 1317:10.00. 475,000m: 1. J. K. (Ken), 1331:02.00. 2. P. Thebaud (F), 1331:08.11. 3. A. (Ken), 1331:10.00. 480,000m: 1. J. K. (Ken), 1345:02.00. 2. P. Thebaud (F), 1345:08.11. 3. A. (Ken), 1345:10.00. 485,000m: 1. J. K. (Ken), 1359:02.00. 2. P. Thebaud (F), 1359:08.11. 3. A. (Ken), 1359:10.00. 490,000m: 1. J. K. (Ken), 1373:02.00. 2. P. Thebaud (F), 1373:08.11. 3. A. (Ken), 1373:10.00. 495,000m: 1. J. K. (Ken), 1387:02.00. 2. P. Thebaud (F), 1387:08.11. 3. A. (Ken), 1387:10.00. 500,000m: 1. J. K. (Ken), 1401:02.00. 2. P. Thebaud (F), 1401:08.11. 3. A. (Ken), 1401:10.00. 505,000m: 1. J. K. (Ken), 1415:02.00. 2. P. Thebaud (F), 1415:08.11. 3. A. (Ken), 1415:10.00. 510,000m: 1. J. K. (Ken), 1429:02.00. 2. P. Thebaud (F), 1429:08.11. 3. A. (Ken), 1429:10.00. 515,000m: 1. J. K. (Ken), 1443:02.00. 2. P. Thebaud (F), 1443:08.11. 3. A. (Ken), 1443:10.00. 520,000m: 1. J. K. (Ken), 1457:02.00. 2. P. Thebaud (F), 1457:08.11. 3. A. (Ken), 1457:10.00. 525,000m: 1. J. K. (Ken), 1471:02.00. 2. P. Thebaud (F), 1471:08.11. 3. A. (Ken), 1471:10.00. 530,000m: 1. J. K. (Ken), 1485:02.00. 2. P. Thebaud (F), 1485:08.11. 3. A. (Ken), 1485:10.00. 535,000m: 1. J. K. (Ken), 1499:02.00. 2. P. Thebaud (F), 1499:08.11. 3. A. (Ken), 1499:10.00. 540,000m: 1. J. K. (Ken), 1513:02.00. 2. P. Thebaud (F), 1513:08.11. 3. A. (Ken), 1513:10.00. 545,000m: 1. J. K. (Ken), 1527:02.00. 2. P. Thebaud (F), 1527:08.11. 3. A. (Ken), 1527:10.00. 550,000m: 1. J. K. (Ken), 1541:02.00. 2. P. Thebaud (F), 1541:08.11. 3. A. (Ken), 1541:10.00. 555,000m: 1. J. K. (Ken), 1555:02.00. 2. P. Thebaud (F), 1555:08.11. 3. A. (Ken), 1555:10.00. 560,000m: 1. J







American finishes strongly to take clubhouse lead in Seniors British Open

# Sprightly Zimmerman sets early pace



Player: in contention

BY MEL WEBB  
SENIORS they might be, veterans even, but surely somebody up there in charge of golf tournaments was exercising a quirky sense of celestial humour when he chose a man called Zimmerman to lead the Seniors British Open at Royal Lytham and St Anne's yesterday.

Bob Zimmerman, of Dayton, Ohio, was in the frame all day, so to speak, recording a 69, two under par, to take the clubhouse lead by a shot.

A less likely candidate for a geriatric walking aid would be hard to imagine. A sprightly 52-year-old, Zimmerman has been in the golf industry all his working life, and played on the US PGA Tour for three seasons from 1965.

Having turned 50, he saw the rewards that some of his contemporaries were collecting by playing on the senior tour, took up his clubs again and is now attempting to make a bigger name for himself as a senior golfer than he ever did as a young man.

He dropped a shot at the 5th, where he three-putted, then birdied the 7th and 8th with 15-foot putts. He also picked up a shot on the par-five 11th, but was caught napping by the notorious 14th, which has trapped many a good man before him. Undeterred, he sank ten-foot birdie putts on the 16th and 17th to finish in the grand manner.

These veterans of the game all have a tale to tell, and few are more colourful than Liam

Higgins. A stroke behind Zimmerman, he held the world long-driving record for eight years, having hit a ball 634 yards on an airstrip at Baldonald in Ireland.

Higgins, who had a chequered career as a European Tour player, is as long off the tee as he ever was — at the 356-yard 16th he hit his drive to within 30 paces of the pin, then sank a sand-wedge for the unlikely eagle two.

Unfortunately, a tendency to be as wide as he was long is still with him. "I only took my driver four or five times today, and each time I was knocking it back on the fairway," he said. "To hell with this down-the-middle game, though. I enjoy playing my golf that way."

Higgins, 50 last October, intended to play in the qualifying school for the US Senior Tour this year, but was thwarted when he took a fall at his home club, Waterville, a couple of weeks before, landed on a golf ball in his pocket, broke a rib and was unable to hit a ball.

He still has the old wooden-headed club with which he broke the long-distance record. One day at his club he had a hole in one at a 364-yard par-four hole, and was promptly offered £5,000 for it by a Japanese visitor.

Higgins responded by putting the wood in a glass case on the clubhouse wall, where it still occupies a place of honour. "I wish I had it with me this week," he said wistfully.

Moving the tournament to the nearest stretch of asphalt might help, too.

Gary Player, one of the favourites for the title he has won twice, looked like passing Higgins and threatening Zimmerman for a large part of the day. He was two under after 11 holes, then bogeyed four holes in the last six. On 73, he is still in contention: people have written him off in tournaments before and regretted it.

EARLY LEADING SCORES (GB and Ireland unless stated): GB: R Zimmerman (US), 71; Higgs (SA), 72; B Moggie, J Fother (SA), Higgs (SA), 72; C Green, C O'Connor, 73; J Allen (US), P Sizer, D O'Brien, A Pinner, A Pinner (US), P Mellow (SA), J Carr (US), D Cook, G Player (SA), J Higgs (US), T Horton, C Jones (US), J O'Brien (US), R Whitbread, 74; F Bostoy, J Dolan, W Dunk (Aus), R Verney (SA), D Smith, T Denner (US), K Burton (US), S Hickey (SA). \* denotes amateur.

## Europeans begin in impressive fashion

FROM PATRICIA DAVIES IN CARMEL, INDIANA

THE Europeans could not have started better in the first round of the 48th US Women's Open Championship at Crooked Stick yesterday, with Helen Alfredsson and Laura Davies going out in 34, two under par, and Suzanne Strudwick out in 35 to be up among the early leaders.

Alfredsson and Davies both had birdie threes at the opening hole, a straightforward par four of 345 yards, with Davies rolling in an outrageous putt of about 45 feet from the back of the green on a benign Indiana day of little wind, blue skies and increasingly hot sunshine.

It was Alfredsson, the winner of the Dinah Shore tournament in March and partnering Patty Sheehan, the defending champion, who surged ahead early on. She missed the green to the right of the short 3rd, but chipped in from 30 yards for a birdie two to go two under.

At the 5th, a par five of 525 yards, Alfredsson pitched to four feet for a consummate birdie. Behind her, Davies took her three wood but did not catch it properly and ended up in the deep bunker guarding the left of the green. She was in an awkward spot, just out of the sand, on the fringe, but exploded beautifully to four feet and holed the putt to show that there is more than one way to make a birdie.

That took Davies back to one under par — she had dropped a shot at the third — and both she and Alfredsson negotiated the fearsome 6th hole, a 168-yard par three, safely. The Swede dropped a shot at the 8th, a par four of 349 yards, before Davies again demonstrated the delicacy of her touch around the greens by splashing the ball out stiff from the greenside bunker.

The first significant playing catastrophe of the day befell Betsy King, the champion in 1989 and 1990. Lying three under par playing the 8th, she took a quadruple bogey eight after driving into the long rough on the right. She had a hack, took a drop, hit it in the water, took a drop, pitched on and took two putts. Regal it was not.



Masterclass: Palmer's audience watches intently as he chips at the 12th during the first round of the Senior British Open yesterday

## Arnie's Army falls back into familiar line

THE older members of Arnie's Army reassembled yesterday. Only 30 or so reported initially for duty around the first tee at Royal Lytham and St Anne's, at precisely 9.35am. Arnold Palmer launched his challenge for the Senior British Open.

A few hours later, so many recruits had joined the march across the hillsides and hollows along the Lancastrian coast that it seemed as though the rest of the course was deserted. They were there to see whether a legendary figure could recapture his past, if only momentarily, and Palmer did not disappoint.

Betting against advancing age and receding belief, he started ominously. He completed his first swing with the characteristic flourish, allowing the club head to circle as though describing a doodle in the air, and realised he had left himself with the shot that nowadays most stretches his nerve.

"The ability to get up and down used to be the best part of my game," he had said on Wednesday. "Now the short game is where the problem lies." A clumsily heavy chip demonstrated the fallibility. After one hole, he was one over par. Worse might have followed. He could have been four over after



Stuart Jones joins the gallery following Arnold Palmer as the great American opens his challenge for the Senior British Open

four, but, rolling in putts designed to provoke seizures, he was instead one under after seven. Then he hooked his drive into a deep bunker. "What do you think he is going to play?" a spectator inquired. "Merry hell," his companion replied.

Palmer calmly chipped out, gloriously saved his par and stood with a share of the lead. As the news filtered through, the Army increased 20-fold and up the 14th stroke the 600 to witness the events that were to drop him temporarily out of contention.

By now, he was sufficiently relaxed to exchange words with his followers and to jest with his faithful caddy, Tips Anderson, who has been with him since he won his first Open title in 1961.

"I wish you would give me the right club for a change," Palmer said as he prepared to chip onto the 11th green. "I guess you think I'm getting old as you are." The smiles, though, soon disappeared.

"I haven't got by that 14th for more than 30 years," he was to lament later, "and it looks as if I might not this year, either." His fourth shot, another heavy-handed chip, induced a cry of "holly mackerel". He required two putts for a double bogey.

That is not the ideal way to prepare for a hole once described succinctly by Jack Nicklaus: "God, it is hard." One nine and three eighths were recorded at the 15th yesterday and Palmer, bunkered again, dropped a shot there, but countered with a birdie at the 17th, in spite of distracting disturbances.

In the event, the only people to ignore the request for silence were jet pilots swooping low over the coast. Palmer glanced up at them, wondering perhaps why they could not practise their manoeuvres far out to sea where they would not bother anybody. He dropped another shot at the last to finish with a 73, two over par.

"I was almost, but not quite, where I wanted to be," he said. "The bad shots were the short ones, but, at times, it appeared as though the round would be quite good." He still promises to protect his record of never failing to finish outside the top 15 in the event he has never won.

At the age of 63, he has no need to put himself through such an unnerving mangle. Although he has collected on average only \$4,200 from ten senior tournaments this year, he is reputed to earn more than \$11 million annually from endorsements, a figure surpassed last year only by Michael Jordan, basketball's leading figure in the United States.

"So why continue? It is fun, this game," he replied. "It is fascinating and mind-boggling. Although there are a few things I can think of that I would enjoy doing, there are not many as much as golf."

For 33 years, he has enchanted the British public and there cannot be many sportsmen to feature in a presidential tribute. Bill Clinton has been quoted recently as suggesting that one of the perks of his position is being able to play golf with Arnold Palmer. Even he is a member of the Army.

## New sponsor for Football League

THE Football League yesterday announced a three-year sponsorship agreement with Endsleigh, the insurance company. It is understood to be worth £35 million in total, with an option to extend the contract after the 1995-6 season. It is the League's fourth sponsorship deal in ten years. Previous backing having come from Canon, the Today newspaper and Barclays. The competition will be known as the Endsleigh Insurance League.

Barclays, who invested £11 million over six seasons, renegotiated the last year of its contract after the formation of the FA Premier League. A Football League spokesman said that its 70 clubs would not suffer any loss of revenue under the new arrangement.

Attendances, television coverage and income all rose substantially last season, which put the League in a strong bargaining position, and the agreement with Endsleigh was completed seven days after negotiations began. The company will continue with its separate sponsorship of Burnley FC.

## Trimaran breaks record

YACHTING: Records fell yesterday as Plymouth welcomed three more finishers in the Teesside two-handed round Britain race. Brian Thompson and Helena Darvallid, in their 35ft trimaran, Severales Challenge, were the first to complete the 2,000-mile course to take second place overall to Lakota and first in Class 5. They set a sailing time between the four ports of call of nine days 21 hours, four days 15 hours inside the previous best, despite rowing for the last part of the race. Six hours later, Richard Tolkein and Peter Root took the monohull honours in their 60ft entry, Enif, beating the record by more than 12 hours. Two hours later, Mark Gatehouse and Martin Carter finished to take fourth place overall in the 60ft monohull, QAB III.

## Britain out in front

WATER SKIING: Britain took an early, decisive lead at the European junior and daphin championships in Rome yesterday when all six members of the team qualified for the slalom finals. Vicky Campbell, 15, from Spalding, who is competing as an individual, is also expected to qualify when the under-17 girls' class starts today. Her brother, Glen, 16, is leading the boys' event and in the 14 and under age category, Tom Asher, a nephew of Mike Hazelwood, is holding the silver medal position. Marie Toms is lying joint third with Florence Ringoet, of Belgium, in the girls' competition.

## Barnett shines at Bisley

RIFLE SHOOTING: Glyn Barnett, who was second in the Canadian Rifle Meeting's Grand Aggregate at the age of 18, while still at Gresham's School, yesterday won Bisley's overall championship, the Land Rover Grand Aggregate. Barnett, now 22, who had been sharing third place with three others competitors, scored a perfect 75 in the final 600-yard shoot while all his closest rivals dropped points. Later in the day, Barnett was top scorer with 105 as England won the National Trophy for the 31st time in the annual match with Scotland, Ireland and Wales.

## Bruguera scrutinised

TENNIS: Sergi Bruguera, the French Open champion, is under investigation over allegations that he deliberately lost a match at the Stuttgart grand prix tournament on Wednesday. Officials said yesterday that Ed Hardisty, the Association of Tennis Professionals (ATP) tournament supervisor, had sent a videotape of Bruguera's match against Alberto Berasategui to ATP headquarters in the United States. Bruguera appeared to offer little resistance in the final set, which he lost 6-1. "I was tired, just very tired, and I couldn't play any better," the Spaniard, 22, said.

## Simpson inspires Scots

HOCKEY: The Scotland women's team kept alive its hopes of qualifying for the World Cup finals in Dublin next year with a 2-0 defeat of Japan in Philadelphia on Wednesday night. Victory assured them of a place in the play-offs for positions five to eight in the Intercontinental Cup. Fifth place guarantees qualification for the World Cup finals. Rhona Simpson, 21, a student at Heriot-Watt University, scored both of Scotland's goals. Germany, Russia, Canada and Argentina had already secured places in Dublin by reaching the semi-finals.

## Connolly for Wigan

RUGBY LEAGUE: St Helens have accepted a revised offer, in the region of £250,000, from Wigan for Gary Connolly, the 22-year-old Great Britain centre. Canterbury Bankstown, the Australian side, offered Connolly a £60,000-a-year contract but St Helens preferred the move to Wigan because of the transfer ceiling of £70,000 on international deals. However, Wigan's proposal of staggered payments will have to be approved by the Rugby Football League. Castleford have signed the New Zealand international stand-off half, Tony Kemp.

## Murphy Himself dies

EQUESTRIANISM: Murphy Himself, one of three-day eventing's best known horses, who was ridden by Ian Stark in the Olympic Games last year, has been put down after breaking his hock. The big-jumping 16-year-old grey, who carried Stark to a silver medal in the 1990 world championships in Stockholm, was in retirement. Murphy began his career with Virginia Leng, who rode him to victory at Burghley in 1986. Stark took him over in 1988 and, after their performance in Stockholm, they were runners-up at Badminton in 1991.

## Britain relegated by cup defeat

BY OUR SPORTS STAFF

GREAT Britain's women tennis players will be forced to qualify for the Federation Cup next year after being beaten by Poland in a relegation play-off match in Frankfurt yesterday.

Their latest humiliation came when Clare Wood and Julie Salmon were beaten 4-6, 6-3, 6-2 in the deciding doubles match to give Poland a 2-1 victory.

Jo Durie came within two points of giving Britain a 1-0 lead before being forced to withdraw because of a knee injury.

Durie jarred her right knee on the way to winning the first set 6-2 against Magdalena Mroz. The British No 2 needed treatment from the trainer to continue and led 5-2 in the second set, before finally giving up after her opponent fought back to level the match at one set all.

Clare Wood led 4-0 after 12 minutes in the first set of her singles match when her opponent was forced to withdraw with a recurrence of a shoulder injury, leaving the tie all square at 1-1. But defeat in the doubles doomed Britain to

take part in the qualifying competition next year.

Nicole Provis produced another impressive performance to steer unseeded Australia into the semi-finals of the tournament.

Provis, 23, whose surprise victory over the world No 1, Steffi Graf, helped Australia to knock out Germany, the holders, in the first round, quickly overcame Name Dahlman 6-1, 6-2 to give the Australians a winning 2-0 lead over Finland.

Michelle Jaggard-Lai had earlier beaten Petra Thoren 6-3, 6-4. Australia will meet Argentina, who beat the fifth-seeded United States, in the semi-finals tomorrow. Florencia Labat beat Lori McNeil 5-7, 6-3, 6-0 to give her country a winning 2-0 lead and a surprise victory over the Americans. In the first singles, Ines Gorrochategui battled from behind to beat Lindsay Davenport 6-7, 7-5, 7-5.

Drug tests are being carried out on players at the tournament for the first time. The International Tennis Federation said yesterday.

## Boardman ready to ride to nowhere

BY PETER BRYAN

FOR Chris Boardman, the Olympic 4,000 metres pursuit champion, the long wait will soon be over. Today, on the smooth, board track at La Lac, Bordeaux, he attempts the world one-hour unpaced record — set last Saturday by Graeme Obree, of Scotland — recognised as the Everest of cycling records and one that, for endurance, would find a high ranking in any sport.

Only two days after his Olympic victory in Barcelona, Boardman, from Hoylake, in the Wirral, first set himself the target of beating Francesco Moser's world figure of 51.15km set outdoors at altitude in Mexico City nine years ago.

Since then, his training and racing programmes have been geared to that 60-minute "ride to nowhere", guided by his coach, Peter Keen, a lecturer in physiology at Brighton University. Three things have changed since the Boardman-Keen duo sketched out their first thoughts — training at altitude, the benefits of which are now in doubt, the absence of the revolutionary Lotus machine that carried Boardman to victory in Barcelona with an Olympic record and

Obree's smashing of Moser's distance within 24 hours of failing at the first attempt.

A bid at altitude for rider, helpers and officials was beyond the funds available to Boardman. The Lotus story, according to his helpers, is an unfortunate one. Boardman wanted a Lotus to be among the five machines he took to Bordeaux last month for technical trials. Lotus, however, appeared to be unable to have one available for him. Instead of the futuristic-looking one-piece frame, Boardman pins his hopes today on a much more conventional frame, made in France by Corima, with slight modifications, on



Boardman: challenger

which the rider has been able to replicate the aerodynamic Lotus position.

The third change is what Boardman describes as "the moving of the goal posts" after Obree's sensational ride in Norway when, using his home-made bike, he increased Moser's record by 445 metres to set a world best of 51.596km (32.2 miles).

The importance of Obree's feat, in international terms, can be summed up by one example. On Monday, the front page of the French daily sports paper, *L'Equipe*, swept the Tour de France (which it sponsors) off the front of the paper in favour of a huge picture of the Scot; the second and third pages were devoted entirely to the record.

The history of the "hour" is virtually as old as competitive cycling, with the century of the first record (35.325km), set by a French amateur, Henri Desgrange, celebrated last May. Moser's turn to challenge the record came in 1984, seven years after he won his greatest prize, the professional road-racing championship, a distinction that highlights the gap between him and the truly amateur status of both Obree and Boardman.

Desgrange later founded

the Tour de France, which, by happy coincidence, has its eighteenth stage finishing in Bordeaux today. A record ride by Boardman could see the French paper giving its front page to a Briton for the second time in six days.

For the last ten days that Boardman has been in Bordeaux, he has adapted what he calls taper-training, in which the volume of training is reduced but the intensity is increased.

This morning, he will warm up for a quarter of an hour before his attempt. Once he has started, his aim will be to get to record pace as quickly as possible while he circles the 250-metre "bowl".

From the trackside, Keen's responsibility is one of mathematics and communication of information to Boardman. A special computer programme has been devised that will signal to Keen at the end of every lap what average speed his charge must produce to break Obree's record.

Boardman has done all that has been asked of him during his intensive six-month structured training plan, reaching a higher pitch of fitness than he achieved in Barcelona.

Tour details, page 35

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## 39

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**Gothic horror: evil twin Boris Karloff (12.05am)**

**12.05am Film: The Black Room (1935, b/w) starring Boris Karloff.** *A Meet the Killer* season starts with this atmospheric chiller set in 19th-century Czechoslovakia with Karloff playing twin brothers — one good, the other evil, one of whom murders the other. Enjoyable nonsense, directed by Roy William Neill (1942583)

**1.20 Electric Blue Room.** Last in the music series. Among those appearing are the Mary Janes and the Senseless Things (el 1266502, Ends at 1.50)



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...n't let her down.

... life is harsh. Frail and alone, she  
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...just over £2 a week, you can change all  
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...more, your money will support other vital  
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**VIRGIN 1215**  
Weekend Starts Here 10:00 Nick Abbot 2:00  
6:00 Russ and Jong's Rock 'n' Roll Break-  
fast 10:00 Richard Drenner 1:00pm Ken  
Ginsburg 4:00 Tynny Vancor 7:00 The  
6:00am Sandy Beach



## SPORT

FRIDAY JULY 23 1993

CROQUET 36  
CLEMENT FREUD  
ON A GAME OF  
ASTONISHING SKILLAustralian batsmen establish strong position on friendly pitch in fourth Test  
**Boon takes England apart at the seams**

BY ALAN LEE, CRICKET CORRESPONDENT

HEADINGLEY (first day of five: Australia won loss): Australia have scored 307 for three wickets against England

TED Dexter, the England chairman, justified the faith in a raw young attack for this critical fourth Test by saying they had to learn some time how to bowl at Headingley. While they were learning, yesterday, the Ashes slipped irretrievably away.

On a pitch that has displayed few of the demons associated with the place, England suffered against the flair of Michael Slater, the finesse of Mark Waugh and, yet again, the forbidding presence of David Boon. They also suffered for the dubious selection of an all-seam attack and for the inability of the chosen bowlers consistently to put the ball in the right area.

Long before the close, even before tea, in fact, Australia

long-delayed debut, can claim exemption. The longer the day went on, the better he bowled and, though his only wicket came in his third over, he deserved more. Mark Ilett and Andy Caddick too often strayed off the requisite straight and narrow, while Martin McCague's all-seam style proved, as had always seemed likely on this surface, expensively ineffectual. He conceded 17 fours.

The decision to dispense with the one spin bowler in the party defied good sense and contrasted sharply with Australia's preference for two. Peter Such would have provided variety in attack if the ball turned, steadiness in defence if it did not. He might have played a vital role in such an inexperienced attack but England stayed loyal to the seam monopoly that served them famously in the last two Tests here.

Such drove back down the motorway to play for Essex at Chelmsford while Allan Border won the toss and Slater and Mark Taylor put on 86 for the first wicket — remarkably, a record for Australia at Headingley.

The pattern was set by the first ball of the morning. It was a wide half-volley from McCague which Slater, never one to waste time getting his eye in when there are gifts on offer, steered gratefully to the third-man boundary. Both batsmen scored freely through that area for half an hour, until Gooch closed the door on them, and with the sun shining brightly to mock England's hopes of swing, 62 had accrued from 18 overs before Bicknell was summoned.

Taylor, who had begun to drive with some of the aplomb of his century here in 1989, could still not keep pace with Slater and he fell leg before to a ball from Bicknell which advertised the off-stump line the bowler's colleagues were finding so elusive.

As if to emphasise the fact the lunchtime entertainment on the giant video-screen showed a succession of England batsmen trailing away from the crease against that arch exponent on Headingley pitches, Terry Alderman.

Perhaps the message filtered through, Ilett, operating to a tighter line under increasingly overcast skies, hit Slater's off stump in his second over of the new session. It was not a stroke of which the



End of the line: Waugh departs, having been bowled offering no stroke, as Ilett and Stewart celebrate a rare England success at Headingley yesterday

Craig McDermott, the Australian fast bowler, said today that he hopes to regain his team-mates in England for the sixth and final Test at the Oval next month. McDermott returned to Australia last month after undergoing surgery on a twisted bowel.

were proceeding serenely towards a total which will render any further mention of the Ashes frivolous. Four years ago, Australia amassed 601 here to convince themselves the series could be won; this time, a similar score, which is distinctly attainable today, would only convince England that they cannot.

On the face of it, this was the pitch that Keith Boyce, the groundsman, has been promising for years — a "belter", is his favourite expression. Yesterday, it was slow and obliging, hardly a ball deviating off the seam. But at the close, Keith Fletcher, the England manager conceded that it would turn before the end of the game. Small comfort, here, from the selection policy.

It was asking a lot of four bowlers with five previous caps between them to dominate this most important day of the series. But with due allowances made, there was still cause for disappointment in the persistently wayward line and length which betrayed them.

Martin Bicknell, on his

young man will be proud but it did demonstrate the value of Ilett's left-arm angle. So too, did his second wicket, achieved when Mark Waugh so misjudged the line that he was bowled offering no stroke. By this time, however, the third-wicket pair had added 106 in a little under two hours.

Not for the first time in this series, Waugh batted as if it would severely test his ingenuity to find a way of getting out. Yet again, he found an eccentric one. This was the fourth time he has passed fifty and failed to go on to make a century.

Boon suffers no such frustrations, for his is a very different way of playing. The

game never looks quite as easy to him as it does to Waugh but he maximises every ounce of his considerable, and still expanding, talent. Here, he had the confidence to drive on the up through mid-on with numbing regularity, dismissing every loose delivery with the certainty that English bowlers have come to know and dread. His century here was his eighth of the tour and the fifteenth of his career. To the toiling England bowlers, as much as to those of us in the stands, it had long loomed as inevitable.

Border settled in with the ominous patience of one who believes six years is too long to go without a century against the old enemy. By the close, he

had helped Boon add 91 for the fourth wicket and there was little encouragement for England when consecutive balls from Bicknell darted past his inside and outside edges.

If the weather forecast is right and the cloud cover increases, batting will become steadily more difficult. Some people were already forming a view of the outcome last night. Ladbroke's had pushed out the price against an England victory from 5-2 to 50-1. And a radio station was frantically interviewing all and sundry on who will take over as England captain next week.

Photograph, page 35  
Leaders recover, page 35  
Scoreboards, page 35

## Australia won toss

## AUSTRALIA: First Innings

	6s	4s	Min	Ball
M J Slater b Ilett	67	8	139	103
M A Taylor b Bicknell	27	4	86	62
M E Waugh b Ilett	102	17	289	200
D C Boon not out	82	9	112	75
M E Waugh b Ilett	56	5	135	96
Extras (b 5, lb 10, w 2, nb 4)	21			
Total (3 wickets, 389 mins, 90 overs)	307			

S R Waugh, H A Healy, P R Reifel, M G Hughes, S K Warne and T B A May to bat.

FALL OF WICKETS: 1-86 (Slater 52, 2-110 (Boon 5), 3-216 (Boon 57).  
BOWLING: McCague 21-0-99-0 (nb 2, w 1) (8-0-150, 6-0-28-0, 4-0-23-0, 3-0-11-0, 5-0-22-0); Ilett 28-5-64-2 (w 1).

(8-1-22-0, 7-0-25-1, 6-3-6-4, 4-1-11-0; Caddick 20-9-61-0 (nb 2) (8-1-10-0, 5-0-25-0, 9-2-25-0); Bicknell 21-4-83-1 (nb 1) (11-1-36-1, 6-1-18-0, 4-2-9-0); Gooch 5-5-5-0 (one spell).

INTERMEDIATE SCORES: First day: 80 in 53 mins, 13.3 overs, 100 in 114 mins, 25.5 overs, Lunch at 103-1 (Slater 54, Boon 57, 11.28 overs, 150 in 178 mins, 40.2 overs, 200 in 223 mins, 52.5 overs, Tea at 205-2 (Boon 57, M Waugh 48) in 57 overs, 250 in 316 mins, 74.2 overs, New ball taken at 295-3 after 55 overs, 300 in 375 mins, 87 overs.

Slater: 50 in 63 mins, 75 balls, 6 fours.  
Boon: 50 in 114 mins, 97 balls, 10 fours; 100 in 278 mins, 199 balls, 17 fours.M Waugh: 50 in 108 mins, 72 balls, 6 fours.  
ENGLAND: M N Lathwell, M A Atherton, R A Smith, A J Stewart, G A Gooch, G P Thorpe, N Hussain, A R Caddick, M J McCague, M C Ilett and M P Bicknell.

Umpires: H D Bird and NT Pilews.

TV replay umpire: B Leadbeater.

Match referee: C H Lloyd.

## Botham's spiritual home lacking all-round appeal

BY ANDREW LONGMORE



Cork contender

THE FACT that neither England nor Australia could boast a genuine all-rounder in their sides at Headingley was an eloquent testimony, if any was needed at the man's spiritual home, to the retirement of Ian Botham. As run piled on Australian run and the Ashes vanished further into the distance with every passing moment, the ghost of Botham in his pomp loomed ever larger, enhanced by the appearance of Graham Gooch in the guise of bowler at just after 3pm.

Since Botham played his last Test, at Lord's last year, England have tried in vain to fill his colossal shoes. Seven batsmen, four seam bowlers (not counting Gooch) was the woefully inadequate and unbalanced solution yesterday. A search of the counties reveals whole armies of "bits and pieces" players, but very few who

could pass the litmus test of the all-rounder. Chris Lewis, when he puts his mind to it, Mike Watkinson, perhaps, David Capel, Robert Croft and, on the evidence of his brilliant innings in the Benson and Hedges Cup final if nothing else, Dominic Cork, could just about be picked for either their batting or their bowling alone. But the list is thin and in danger of getting thinner.

"All-rounders? They're like gold dust, aren't they? There just aren't the young players about willing or able to be genuine all-rounders," Bob Cottam, Cork's manager of Somerset, said. "Lots of players can bat a bit and bowl a bit, but it's hard work doing both." One-day cricket, which rewards half-developed skills, is partly to blame, but the real culprit, says Cottam, is the structure of youth cricket.

"All representative cricket is crammed into a six-week period, so

boys who are still developing can be playing two months solidly. If they are batting and bowling, they can get burnt out by the age of 19," Cottam said.

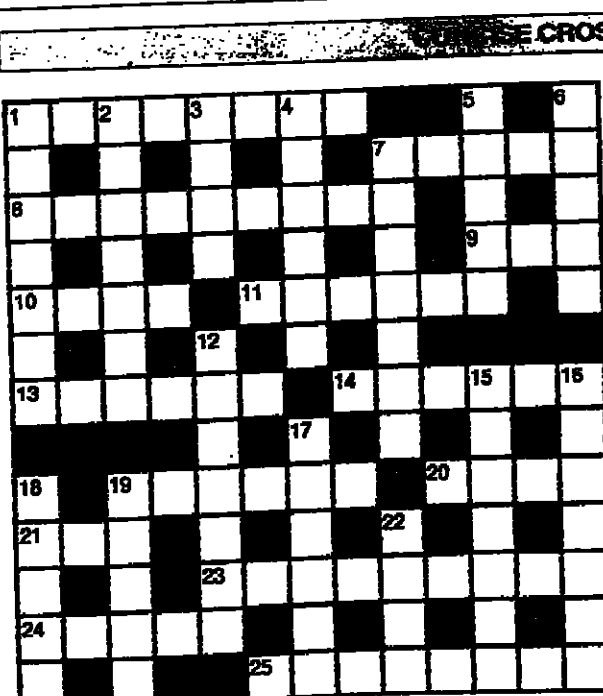
Somewhere, it seems, between the playing field and the county ground, the boys who dominate school matches lose the confidence or the will to hone both disciplines. Without active discouraging the all-rounders, coaches form their own opinions and players, either through laziness or lack of opportunity, are categorised as batsman or bowler, but rarely both. Only the Bothams of this world have the determination not to be influenced by the "they don't pay you to do both, so don't bother" attitude still found in some county dressing-rooms.

For once, it is not just England's problem. The glorious era of Botham, Kapil Dev, Imran Khan and Richard Hadlee has long since passed, though

Kapil is still playing. The Australians have struggled to fill the all-rounder's role adequately since the days of Alan Davidson and Richie Benaud. Steve Waugh promised to be the answer until back trouble hindered his bowling at Test level.

"It seems to be the fashion to specialise in all sports and the same has happened in cricket," Bob Simpson, the Australia coach, explained. "Players are reluctant to do both in case they fall between two stools and end up doing neither very well. Guys like Botham are very, very rare. You have to be a super-confident, be very fit mentally and physically and have a lot of drive."

Help, though, is at hand for England's hard-pressed supporters. Yesterday afternoon, Ladbroke's offered 4-1 against Liam Botham, Ian's son, making his England debut before the end of the century.



## CROSSWORD NO 5155

## ACROSS

- 1 Neck-handled bottle (8)
- 7 Soothing ointment (5)
- 8 Valuable (5,1,3)
- 9 Total (3)
- 10 Miserable (4)
- 11 Weak (6)
- 13 Monarch's group (6)
- 14 Clergyman (6)
- 19 Attractive (6)
- 20 Island (4)
- 21 Misery (3)
- 23 Complete devastation (5,4)
- 24 Bar pivot (5)
- 25 Risk (8)

## SOLUTIONS TO NO 3154

- ACROSS: 7 Pint 8 Evil omen 9 Astray 10 Dearth  
11 Loch 12 One by one 15 Calvarios 17 Fast 18 Stocks  
21 Prince 22 Vain hope 25 Hung
- DOWN: 1 Diaspora 2 Starch 3 Very good 4 Wild 5 Rascally 6 Heat 13 Easy prey 14 Nose cone 16 Vacant 17 Flight 19 Thaw 20 Shot

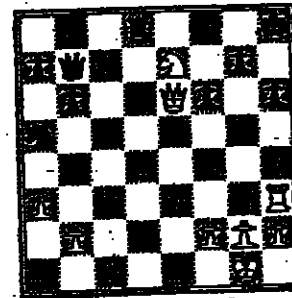
## DOWN

- 1 Properly widow (7)
- 2 Smallest planet (7)
- 3 Fourth gospel (4)
- 4 Leading rope (6)
- 5 Near (5)
- 6 Conditions (5)
- 7 Bristly growth (7)
- 12 Taste (7)
- 15 Saviour (7)
- 16 Smoothly (7)
- 17 Dress (6)
- 18 Expand (5)
- 19 Permitted absence (5)
- 22 Let fall (4)

By Raymond Keene

Over the years, London has been a tremendous centre of chess activity. This position is a possible variation from Speelman - Levitt, Lloyds Bank Masters, London 1992. White can force checkmate in four moves. How does he do it?

For information on any aspect of The Times World Chess Championship Match and the City of London Chess Festival call 071-388 8223.

Solution on page 38  
Championship Chess, page 35

By Philip Howard

## RAMBLAGE

- a. The right to ramble
- b. Sentility
- c. System of inheritance

## TRAMINER

- a. A wanderer
- b. A genre of Gypsy dance
- c. A perfumed vine

## CASTRENSIC

- a. Camp
- b. To do with edged weapons
- c. Sarcastic

## KROMESKY

- a. A cavalry trumpet
- b. A Polish croquette
- c. A thunderous sky

Answers on page 38

CROSSWORD ENTHUSIASTS: The Times Crossword — Books 1 &amp; 2 £5.25 each, Books 3 &amp; 4 £4.25 each, The Times Junior Crossword — Book 1 £4.99, Book 2 £5.99, Concise Book 1 £5.99, The Times Crossword — Books 1, 7, 14, 15 &amp; 16 £4.25 each, Books 2 to 13 (lead, 7) £4.14 each, The Times Crossword — Books 1 to 10 £4.14 each, except Books 5, 9 and 11 £4.25 each, Concise Books 1 &amp; 2 £4.25 each, Prices inc p&amp;hp (UK). Cheques in £ sterling. Manor Lane, London SE13 5JW. Return delivery. Tel 081-852 4575 (24 hrs).

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